

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS FOR FISCAL YEAR 2017

WEDNESDAY, FEBRUARY 24, 2016

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 2:21 p.m., in room SD-192, Dirksen Senate Office Building, Hon. John Hoeven (chairman) presiding.

Present: Senators Hoeven, Cochran, Murkowski, Cassidy, Shaheen, and Baldwin.

DEPARTMENT OF HOMELAND SECURITY

STATEMENT OF HON. JEH C. JOHNSON, SECRETARY

OPENING STATEMENT OF SENATOR JOHN HOEVEN

Senator HOEVEN. I will call this hearing of the Senate Appropriations Committee on Homeland Security to order. I want to begin by thanking the Honorable Secretary for Homeland Security, Secretary Johnson, for being with us today. We appreciate it very much. We understand the demands on your schedule, and so we certainly appreciate you being here with us today.

I would like to welcome our ranking member, Senator Shaheen, good to be with you, also the full Appropriations Committee chairman, who is here, Senator Cochran, thank you for joining us today. And, Senator Murkowski, thank you for joining us as well. We anticipate other members of the Committee will be joining us as the hearing proceeds.

And I would take a minute to defer to the chairman of our full Appropriations Committee, Senator Cochran, for any opening remarks that you might have, Mr. Chairman.

STATEMENT OF SENATOR THAD COCHRAN

Senator COCHRAN. Mr. Chairman, thank you very much. And I am happy to join you in welcoming our witnesses and others who are here today to help us understand the implications that are reflected in the administration's budget request for the Department of Homeland Security (DHS) for fiscal year 2017.

The Commandant of the Coast Guard recently testified that actionable intelligence led to approximately 90 percent of maritime drug interdictions, but they can only attempt to target and disrupt 20 percent of the known flow. And that is kind of scary, but it puts in context, I think, as the beginning of this hearing, how there are a lot of unanswered questions and challenges for law enforcement

and others, and raises concern that the Coast Guard is being put in additional stress.

But we are prepared to listen to the testimony of our witness, who we appreciate being here today. We look forward to trying to be a constructive influence in this process, and so we will be happy to receive your advice and counsel on the ways to proceed.

Senator HOEVEN. Thank you, Senator Cochran, and again, thanks for being here today.

I do apologize. I know it is a little warm in here. Mr. Secretary, that was not by design I assure you. They did not turn up the heat intentionally, and I think in fact they are working on it, so hopefully they will get the air-conditioning going as we proceed.

Secretary JOHNSON. The press will report that I was on the hot seat irrespective of the room temperature.

Senator HOEVEN. Indeed.

Secretary JOHNSON. I am always on the hot seat.

Senator HOEVEN. I have some opening remarks, and then I will turn to our ranking member and other members, and then we will ask for your opening statement, Mr. Secretary.

The Director of the National Intelligence recently testified regarding the worldwide threat stating first and foremost that “unpredictable instability has become the new normal.” He was pointing to the threat from violent extremists and their growing reach in countries around the globe. And last year, we saw brutal attacks in Paris and San Bernardino and Chattanooga and others.

The American people rightfully are concerned about terrorism, which they see as encompassing violent extremism. In a December 2015 Gallup Poll, 16 percent of Americans cited terrorism as the number one problem facing the United States, and that is the highest level that it has been in 10 years.

I know, Mr. Secretary, you are well aware of the threats facing this Nation and that you believe in the Department’s critical roles and missions in countering those threats. Yet with that context, the President’s fiscal year 2017 request creates some real challenges for this Committee.

Let me first note some significant shortfalls that are present in the budget request. Now, the budget includes \$909 million in proposed Transportation Security Administration (TSA) fees. Without that revenue, TSA would be cut by almost 20 percent. And of course, that is not a reduction that we can or should make for TSA. So we are going to have to address that, you know, across the full budget.

Next, the budget proposes to cut immigration enforcement, specifically detention operations by about \$350 million. Now, that reduction is largely targeted at family residential centers but also reduces adult beds. The current population is thousands above the requested level, so we are already above that level in terms of current population. And due to seasonality, the detained population is lower now than it is likely to be later in the year.

Now, you are turning a corner in getting cooperation from State and local enforcement in honoring detainers, and I know you have been working on that and it is very important. But that is also going to be a need for more detention beds. And so this is going to be another issue where we are going to have to figure something

out. And so to get these higher removal numbers, you are going to need that detention capacity for your removal operations.

On top of that, the request cuts State and local preparedness grants in the Federal Emergency Management Agency (FEMA) by \$560 million, and that is something we will want to talk about. Our State and local partners rely on those funds to be on the frontlines in the war on terrorism. Stable funding and measurable results are essential to these programs to avoid massive fluctuations in funding, which have a ripple effect at the State and local levels. Given the threat our country faces, this is a cut that we are going to have to restore for States and localities.

As a result of those reductions, we are facing a very tight budget this year, I think a more challenging budget this year than last year. And obviously, we are not going to be able to fund all of the things outlined in this budget, but we are going to have to do some reprioritization in these areas that I emphasized.

We need your priorities, Mr. Secretary, and your ideas for addressing some of these areas, and we will be talking about those areas specifically today and getting your input. I want to specifically understand your personnel costs since salaries and benefits are your largest cost drivers.

And then we have both attrition and areas where you are not able to fill the number of people that you need, more Border Patrol agents, for example, Secret Service, you know, areas where we have got to find ways to fill those slots.

Also, I want to continue our conversation regarding metrics, something you and I have talked about when we met recently. The Department needs to do all it can to assess its needs and demonstrate its effectiveness through data and metrics. We need to be able to track that progress. Whether it is determining the right mix of personnel and technology to conduct the mission or publicly reporting on border flows and enforcement actions, it is very important that we have that information. You and I have talked about that, and that is another area that I hope to drill into today—to talk about metrics and measurements and what kind of progress you are making. So we will go through that in some detail.

Last, I am going to ask for some updates on programs across the Department. Some of these we have talked about. I continue to support implementation of biometric exit and want to understand your plan and how we can be helpful in advancing that plan. Also, cybersecurity, obviously a big focus for you, and I think for everyone in Congress as well, with what is going on.

We are going to want to talk about TSA. We have got a new TSA Director. I think he is the right person for the job. And so we are going to want to talk about how they are transforming their operations, personnel, training, and technology. Again, I think he is providing good direction, but we have to make sure that they are accomplishing their objectives and that we are tracking their progress.

I will stop there at this point and turn to our ranking member, Senator Shaheen.

STATEMENT OF SENATOR JEANNE SHAHEEN

Senator SHAHEEN. Thank you, Mr. Chairman. And welcome, Secretary Johnson. We are delighted to have you before this subcommittee again to talk about your request for the Department of Homeland Security. And I should say at the outset that I share concerns about a number of the issues that Chairman Hoeven has raised.

I do appreciate, as we all do, the diverse missions of the Department and the millions of Americans whose lives are affected by the work that you do. I think, if anything, the mission may be getting broader because of the challenges that we face today. And I share Chairman Hoeven's concern about the administration's request of \$40.5 billion, which really reduces funding for the Department's operations in 2017.

I have several concerns about this. First has to do also with the proposed \$909 million increase in aviation security fees that have not yet been authorized. While I appreciate that that is an important potential source of revenue, I think the politics of trying to get that done are really questionable.

Second, I am concerned about the reductions in the budget for FEMA's State and local grant programs. They were a priority of the administration a year ago, and yet they have been reduced by about 20 percent.

And finally, the proposal suggests that we are going to rescind \$120 million from emergency disaster loans that the Congressional Budget Office (CBO), at least in our interpretation, is not likely to allow us to entirely take as a discretionary offset. So this means we start this budget process with a hole of about \$1.5 billion. I am hoping that you can share some insights into how you made those tradeoffs in the budget and what the expectations are.

Now, I do have some areas where I think the budget proposal is very positive, certainly with respect to strengthening our cybersecurity infrastructure. That is very important. The 30-percent increase will help not only our Federal networks but will help us as we are working with the private sector.

I was also very pleased to see the Department's continued efforts on countering violent extremism (CVE). I recently had the opportunity to watch the University of New Hampshire's Peer-to-Peer Program presentation. It was very impressive and really showed what young people can do in helping us as we are trying to address this challenge.

Also I was pleased to see the request fully funds FEMA's projected disaster response and recovery needs given what is happening with the weather events in the country. I think that is very important.

And finally, in closing, I do want to mention the heroin crisis that we are facing in New Hampshire and in so many States across this country because, while the Department of Homeland Security does not have direct responsibility to combat this problem, certainly the Coast Guard and the Customs and Border Protection (CBP) play critical roles in interdicting heroin and other drugs as they come across the border. I am looking forward to hearing what

more the Department is thinking about in terms of helping as we try and address this problem.

I look forward to hearing your comments today, Mr. Secretary, and to seeing how this Committee can work with you as we get a budget that makes sense for the country and the Department.

Secretary JOHNSON. Thank you.

Senator HOEVEN. I would like to thank both Senator Cassidy and Senator Baldwin for joining us and turn at this point to see if there are any other opening statements starting with Senator Murkowski.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Mr. Chairman, I have had a quick conversation with Secretary Johnson. First, I appreciate you being here. I have alerted him to the fact that most of my questions this afternoon are going to relate to the Coast Guard budget. Recognizing that we are not going to be having a separate hearing on the Coast Guard's budget as part of Homeland Security, I thank you for this opportunity to bring up these questions with the Secretary and look forward to working with you and the ranking member on these important issues to my State and the country. Thank you.

Senator HOEVEN. Thank you, Senator Murkowski.

Senator Baldwin.

STATEMENT OF SENATOR TAMMY BALDWIN

Senator BALDWIN. I appreciate your holding this hearing. I am going to be submitting some questions for the record due to my schedule after your presentation, Secretary Johnson. But as a member of both the authorizing committee and this Committee, it is especially helpful for us to be able to spend this time with you, and I appreciate it.

Secretary JOHNSON. Thank you.

Senator HOEVEN. Thank you. Senator Cassidy.

Senator CASSIDY. In the interest of time I will restrict myself to my question period. I am good.

Senator HOEVEN. Very good. Thank you.

Secretary Johnson, your opening statement.

SUMMARY STATEMENT OF HON. JEH C. JOHNSON

Secretary JOHNSON. Thank you. Chairman, Senators, I am pleased to be here.

The President's fiscal year 2017 budget request for the Department of Homeland Security reflects hard choices to fit within the caps established by the bipartisan budget agreement of 2015, but at the end of the day, it funds all of our vital homeland security missions in these challenging times.

The President's budget request calls for \$40.6 billion in appropriated funds compared, as you noted, Senator, to \$41 billion currently in fiscal year 2016, but an increase in total spending authority to \$66.8 billion compared to \$64.8 billion in the current fiscal year. To be clear, as has already been noted, part of that top line, \$66.8 billion we are requesting be funded by fee increases, and we

have submitted authorization language to the Congress to authorize those fee increases.

Total workforce request is 229,626, compared to 226,157 in the current fiscal year, accompanied by an overall workforce pay raise of 1.6 percent. Like this year, the President's budget requests \$6.7 billion to finance the cost of major disasters in FEMA's disaster relief fund, and the ability to collect fees of \$19.5 billion in fees compared to \$17.1 billion this year.

Of note, our budget request includes \$5.1 billion for transportation screening operations; \$1.6 billion, an increase of more than \$200 million, to fund our vital cybersecurity missions; \$1.9 billion for the Secret Service, which is at the same level enacted in 2016; \$319 million to cover costs associated with unaccompanied children and families who cross our border illegally; \$1.1 billion for recapitalization of the Coast Guard, including a sizable investment in this Nation's future arctic capability; and \$226 million for continued investment in the construction of a future DHS headquarters at St. Elizabeths.

Like last year, reforming the way in which the Department of Homeland Security functions and conducts business to more effectively and efficiently deliver our services to the American people is my top objective for 2016. We have done a lot in the last 2 years, but there is still much we will do and we can do. There are still too many stovepipes and inefficiencies in the Department.

The centerpiece of our management reform effort has been the Unity of Effort initiative I announced and launched in April 2014, which focuses on getting away from the stovepipes in favor of more centralized programming, budgeting, and acquisition processes. Overall, my goal as Secretary continues to be the protection of the homeland and leaving the Department of Homeland Security a better place than I found it.

Thank you, and I look forward to your questions.
[The statement follows:]

PREPARED STATEMENT OF HON. JEH C. JOHNSON

INTRODUCTION

Chairman Hoeven, Ranking Member Shaheen, and members of the subcommittee, thank you for the opportunity to be here.

The President's fiscal year 2017 budget request for the Department of Homeland Security (DHS) reflects hard choices to fit within the caps established by the bipartisan budget agreement of 2015, but at the end of the day, it funds all of our vital homeland security missions in these challenging times.

The President's fiscal year 2017 budget request calls for \$40.6 billion in appropriated funds (compared to \$41 billion currently in fiscal year 2016) but an increase in total spending authority to \$66.8 billion (compared to \$64.8 billion currently in fiscal year 2016). Total workforce requested is 229,626, compared to 226,157 in fiscal year 2016, accompanied by an overall workforce pay raise of 1.6 percent.

Like this year, the President's budget requests \$6.7 billion to finance the cost of major disasters in the Federal Emergency Management Agency's (FEMA's) disaster relief fund, and the ability to collect fees of \$19.5 billion (compared to \$17.1 billion this year).

As I said before, the President's budget request funds our vital homeland security missions. Our request includes:

- \$5.1 billion for transportation screening operations, including increased screening personnel, to ensure the security of our airways, a \$100 million increase;
- \$1.6 billion, an increase of over \$200 million, to fund our vital cybersecurity mission, including increased investments in the Continuous Diagnostic Mitigation program;

- \$1.9 billion for the Secret Service, which is the same as enacted in fiscal year 2016, to protect our national leaders, fight cyber-crime, and support increased hiring;
- \$319 million to cover costs associated with unaccompanied children and families;
- \$1.1 billion for recapitalization of the U.S. Coast Guard’s assets, including a sizable investment in the Nation’s future arctic capability; and
- \$226 million for continued investment in the construction of a future DHS headquarters at St. Elizabeths.

MANAGEMENT REFORM

Like last year, reforming the way in which the Department of Homeland Security functions and conducts business, to more effectively and efficiently deliver our services to the American people, is my overarching objective for 2016. We’ve done a lot in the last 2 years, but there is still much we will do. There are still too many stove pipes and inefficiencies in the Department.

My goal as Secretary is to continue to protect the homeland, and leave the Department of Homeland Security a better place than I found it.

The centerpiece of our management reform has been the Unity of Effort initiative I announced in April 2014, which focuses on getting away from the stove pipes, in favor of more centralized programming, budgeting, and acquisition processes.

We have already transformed our approach to the budget. Today, we focus Department-wide on our mission needs, rather than through component stove pipes. With the support of Congress, we are moving to a simplified budget structure that will support better decisionmaking across the Department.

We have transformed our approach to acquisition. Last year, I established a DHS-wide Joint Requirements Council to evaluate, from the viewpoint of the Department as a whole, a component’s needs on the front end of an acquisition.

We have launched the “Acquisition Innovations in Motion” initiative, to consult with the contractor community about ways to improve the quality and timeliness of our contracting process, and the emerging skills required of our acquisition professionals. We are putting faster contracting processes in place.

We are reforming our human resources process. We are making our hiring process faster and more efficient. We are using all the tools we have to recruit, retain and reward personnel.

As part of the Unity of Effort initiative, in 2014 we created the Joint Task Forces dedicated to border security along the southern border. Once again, we are getting away from the stove pipes. In 2015, these task forces became fully operational. In 2016, we are asking Congress to officially authorize them in legislation.

We are achieving more transparency in our operations. We have staffed up our Office of Immigration Statistics and gave it the mandate to integrate immigration data across the Department. Last year, and for the second year in a row, we reported our total number of repatriations, returns and removals on a consolidated, Department-wide basis.

The long-awaited entry/exit overstay report was published in January, providing a clearer picture of the number of individuals in this country who overstay their visitor visas. It reflects that about 1 percent of those who enter the country by air or sea on visitor visas or through the Visa Waiver Program overstay.

We are working with outside, nonpartisan experts on a project called BORDERSTAT, to develop a clear and comprehensive set of outcome metrics for measuring border security, apprehension rates, and inflow rates.

Since 2013 we’ve spearheaded something called the “DHS Data Framework” initiative. For the protection of the homeland, we are improving the collection and comparison of travel, immigration and other information against classified intelligence. We will do this consistent with laws and policies that protect privacy and civil liberties.

We want to restructure the National Protection and Programs Directorate from a headquarters element to an operational component called the “Cyber and Infrastructure Protection” agency.

Finally, we will improve the levels of employee satisfaction across the Department. We’ve been on an aggressive campaign to improve morale over the last 2 years. It takes time to turn a 22-component workforce of 240,000 people in a different direction. Though the overall results last year were still disappointing, we see signs of improvement. Employee satisfaction improved in a number of components, including at DHS headquarters.

This year we will see an overall improvement in employee satisfaction across DHS.

COUNTERTERRORISM

In 2016, counterterrorism will remain the cornerstone of the Department of Homeland Security's mission. The events of 2015 reinforce this.

As I have said many times, we are in a new phase in the global terrorist threat, requiring a whole new type of response. We have moved from a world of terrorist-directed attacks to a world that includes the threat of terrorist-inspired attacks—in which the terrorist may have never come face to face with a single member of a terrorist organization, lives among us in the homeland, and self-radicalizes, inspired by something on the Internet.

By their nature, terrorist-inspired attacks are harder to detect by our intelligence and law enforcement communities, could occur with little or no notice, and in general makes for a more complex homeland security challenge.

So, what are we doing about this?

First, our Government, along with our coalition partners, continues to take the fight militarily to terrorist organizations overseas. ISIL is the terrorist organization most prominent on the world stage. Since September 2014, air strikes and special operations have in fact led to the death of a number of ISIL's leaders and those focused on plotting external attacks in the West. At the same time, ISIL has lost about 40 percent of the populated areas it once controlled in Iraq, and thousands of square miles of territory it once controlled in Syria.

On the law enforcement side, the FBI continues to do an excellent job of detecting, investigating, preventing, and prosecuting terrorist plots here in the homeland.

As for the Department of Homeland Security, following the attacks in Ottawa, Canada, in 2014, and in reaction to terrorist groups' public calls for attacks on government installations in the western world, I directed the Federal Protective Service to enhance its presence and security at various U.S. Government buildings around the country.

Given the prospect of the terrorist-inspired attack in the homeland, we have intensified our work with State and local law enforcement. Almost every day, DHS and the FBI share intelligence and information with Joint Terrorism Task Forces, fusion centers, local police chiefs and sheriffs.

In fiscal year 2015 we provided homeland security assistance to State and local governments around the country, for things such as active shooter training exercises, overtime for cops and firefighters, salaries for emergency managers, emergency vehicles, and communications and surveillance equipment. We helped to fund an active shooter training exercise that took place in the New York City subways last November and a series of these exercises earlier this month in Miami. Last week we announced another round of awards for fiscal year 2016 that will fund similar activities over the next 3 years.

As I said at a graduation ceremony for 1,200 new cops in New York City in December, given the current threat environment, it is the cop on the beat who may be the first to detect the next terrorist attack in the United States.

We are also enhancing information-sharing with organizations that represent businesses, college and professional sports, faith-based organizations, and critical infrastructure.

We are enhancing measures to detect and prevent travel to this country by foreign terrorist fighters.

We are strengthening our Visa Waiver Program, which permits travelers from 38 different countries to come here without a visa. In 2014, we began to collect more personal information in the Electronic System for Travel Authorization, or "ESTA" system, that travelers from Visa Waiver countries are required to use. As a result of these enhancements, over 3,000 additional travelers were denied travel here in fiscal year 2015.

In August 2015, we introduced further security enhancements to the Visa Waiver Program.

Through the passage in December of the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015, Congress has codified into law several of these security enhancements, and placed new restrictions on eligibility for travel to the United States without a visa. We began to enforce these restrictions on January 21. Waivers from these restrictions will only be granted on a case-by-case basis, when it is in the law enforcement or national security interests of the United States to do so. Those denied entry under the Visa Waiver Program as a result of the new law may still apply for a visa to travel to the United States.

Last week, under the authority given me by the new law, I also added three countries—Libya, Yemen, and Somalia—to a list that prohibits anyone who has visited these nations in the past 5 years from traveling to the United States without a visa.

We are expanding the Department's use of social media for various purposes. Today social media is used for over 30 different operational and investigative purposes within DHS. Beginning in 2014 we launched four pilot programs that involved consulting the social media of applicants for certain immigration benefits. USCIS now also reviews the social media of Syrian refugee applicants referred for enhanced vetting. Based upon the recent recommendation of a Social Media Task Force within DHS, I have determined, consistent with relevant privacy and other laws, that we must expand the use of social media even further.

CBP is deploying personnel at various airports abroad, to pre-clear air travelers before they get on flights to the United States. At present, we have this preclearance capability at 15 airports overseas. And, last year, through preclearance, we denied boarding to over 10,700 travelers (or 29 per day) seeking to enter the United States. As I said here last year, we want to build more of these. In May 2015, I announced 10 additional airports in nine countries that we've prioritized for preclearance.

For years Congress and others have urged us to develop a system for biometric exit—that is, to take the fingerprints or other biometric data of those who leave the country. CBP has begun testing technologies that can be deployed for this nationwide. With the passage of the omnibus bill, Congress authorized up to \$1 billion in fee increases over a period of 10 years to pay for the implementation of biometric exit. I have directed that CBP begin implementing the system, starting at top airports, in 2018.

Last month I announced the schedule for the final two phases of implementation of the REAL ID Act, which goes into effect 2 and then 4 years from now. At present 23 States are compliant with the law, 27 have extensions, and 6 States or territories are out of compliance. Now that the final timetable for implementation of the law is in place, we urge all States, for the good of their residents, to start issuing REAL ID-complaint drivers' licenses as soon as possible.

In the current threat environment, there is a role for the public too. "If You See Something, Say Something"TM must be more than a slogan. We continue to stress this. DHS has now established partnerships with the NFL, Major League Baseball and NASCAR, to raise public awareness at sporting events. An informed and vigilant public contributes to national security.

In December we reformed NTAS, the National Terrorism Advisory System. In 2011, we replaced the color-coded alerts with NTAS. But, the problem with NTAS was we never used it, it consisted of just two types of alerts: elevated and imminent, and depended on the presence of a known specific and credible threat. This does not work in the current environment, which includes the threat of homegrown, self-radicalized, terrorist-inspired attacks. So, in December we added a new form of advisory—the NTAS bulletin—to augment the existing alerts. The bulletin we issued in December advises the public of the current threat environment, and how the public can help.

Finally, given the nature of the evolving terrorist threat, building bridges to diverse communities has become a homeland security imperative. Well-informed families and communities are the best defense against terrorist ideologies. Al Qaeda and the Islamic State are targeting Muslim communities in this country. We must respond. In my view, this is as important as any of our other homeland security missions.

In 2015 we took these efforts to new levels. We created the DHS Office for Community Partnerships, headed by George Selim. George and this office are now the central hub for the Department's efforts to counter violent extremism in this country, and the lead for a new interagency CVE Task Force that includes DHS, DOJ, the FBI, NCTC and other agencies.

Funding is included in the President's budget request to support these counterterrorism efforts in the following key areas:

- \$2 billion requested in total grants funding will prepare State and local governments to prevent, protect against, mitigate, respond to, and recover from incidents of terrorism and other catastrophic events. These funds also include Fire-fighter and Emergency Management Performance Grants that support local first responders in achieving their missions and \$50 million for Countering Violent Extremism grants for emergent threats from violent extremism and from complex, coordinated terrorist attacks.
- \$292 million sustains U.S. Customs and Border Protection (CBP) targeting programs, which includes support for the National Targeting Centers (NTC) for passengers and cargo. The NTCs effectively target and interdict inadmissible high-risk passengers, cargo and agriculture/bioterrorism threats before reaching U.S. ports of entry. And, the newly established Counter Network Program will

expand CBP's partnerships to exchange information and coordinate actions to identify, disrupt, and dismantle illicit networks and associated organizations.

- \$197.5 million to sustain inspection and enforcement efforts abroad, which include the Immigration Advisory Program, created by CBP in 2004 to prevent terrorists and high-risk or improperly documented travelers from boarding commercial aircraft destined for the United States. This investment also funds preclearance operations. In addition to improving CBP's ability to protect the American homeland by extending our borders and preventing terrorists from gaining access to the United States, preclearance relieves congestion at U.S. "gateway" airports and opens up new destinations for international flights.
- \$103.9 million to purchase radiological and nuclear detection equipment, an increase of \$14 million over funding appropriated in 2016, enabling the proposed new CBRNE Office (a combination of Office of Health Affairs and Domestic Nuclear Detection Office) and the U.S. Coast Guard, CBP, and TSA, to keep U.S. ports of entry safe and secure by detecting and interdicting illicit radioactive or nuclear materials.
- \$81.9 million sustains the BioWatch program to provide detection and early warning of the intentional release of select aerosolized biological agents in more than 30 jurisdictions nationwide.
- \$79.9 million sustains Infrastructure Security Compliance funding to secure America's high-risk chemical facilities through systematic regulation, inspection, and enforcement under the authority of the Chemical Facility Anti-Terrorism Standards.

AVIATION SECURITY

We are taking aggressive steps to improve aviation and airport security.

Since 2014 we have enhanced security at overseas last-point-of-departure airports, and a number of foreign governments have replicated those enhancements.

As many of you know, in May of last year a classified DHS Inspector General's test of certain TSA screening at eight airports, reflecting a dismal fail rate, was leaked to the press. I directed a 10-point plan to fix the problems identified by the Inspector General. Under the new leadership of Admiral Pete Neffenger over the last 6 months, TSA has aggressively implemented this plan. This has included "back to basics" retraining for the entire TSO workforce, increased use of random explosive trace detectors, testing and re-evaluating the screening equipment that was the subject of the Inspector General's test, a rewrite of the standard operating procedures manual, increased manual screening, and less randomized inclusion in Pre-Check lanes. These measures were implemented on or ahead of schedule.

We are also focused on airport security. In April of last year TSA issued guidelines to domestic airports to reduce access to secure areas, to require that all airport and airline personnel pass through TSA screening if they intend to board a flight, to conduct more frequent physical screening of airport and airline personnel, and to conduct more frequent criminal background checks of airport and airline personnel. Since then employee access points have been reduced, and random screening of personnel within secure areas has increased four-fold. We are continuing these efforts in 2016. Two weeks ago TSA issued guidelines to further enhance the screening of aviation workers in the secure area of airports.

I am particularly proud of the newly established TSA Academy housed by the Federal Law Enforcement Training Centers in Glynco, Georgia. All new TSOs are now receiving 2-week training on how to screen for threats. DHS has built a full-scale representation of an airport screening station for students to use as they are taught how to serve the traveling public, interpret x-ray machine images, and check bags for dangerous materials or weapons.

In the President's fiscal year 2017 budget request, funding is included for aviation security in the following key areas:

- \$3.0 billion to support 42,848 Transportation Security Officers, an increase of \$26.9 million over fiscal year 2016, to ensure effective screening operations while minimizing wait times.
- \$199.8 million for transportation screening technology, enabling TSA to continue improving the capabilities of its checkpoint screening equipment throughout almost 450 airports to better protect against passenger-borne threats, an increase of \$5 million.
- \$116.6 million to provide training for TSA screeners, which supports an increase of \$20 million for new basic training to be provided at the TSA Academy located at the Federal Law Enforcement Training Center in Glynco, Georgia.

- \$84.0 million for TSA’s intelligence operations, an increase of \$2.0 million to expand the number of intelligences officers to 87 in frontline facilities that will enhance the effectiveness of checkpoint security screening.
- \$815.3 million to support the continued deployment of Federal air marshals, \$10 million above the fiscal year 2016 levels. The Federal Air Marshal Service (FAMS) has been subject to a hiring freeze since 2011, and recently completed a new Concept of Operations (CONOPS) detailing a new deployment strategy that achieves optimal FAMS staffing to ensure its operations mitigate the maximum risk as with other TSA aviation security activities.

CYBERSECURITY

While counterterrorism remains a cornerstone of our Department’s mission, I have concluded that cybersecurity must be another. Making tangible improvements to our Nation’s cybersecurity is a top priority for President Obama and for me to accomplish before the next President is inaugurated.

On February 9th, the President announced his “Cybersecurity National Action Plan,” which is the culmination of 7 years of effort by the administration. The plan includes a call for the creation of a Commission on Enhancing National Cybersecurity, additional investments in technology, Federal cybersecurity, cyber education, new cyber talent in the Federal workforce, and improved cyber incident response.

DHS has a role in almost every aspect of the President’s plan.

As reflected in the President’s 2017 budget request, we want to expand our cyber response teams from 10 to 48.

We are doubling the number of cybersecurity advisors to in effect make “house calls,” to assist private sector organizations with in-person, customized cybersecurity assessments and best practices.

Building on DHS’s “Stop. Think. Connect” campaign, we will help promote public awareness on multi-factor authentication.

We will collaborate with Underwriters Laboratory and others to develop a Cybersecurity Assurance Program to test and certify networked devices within the “Internet of Things.”—such as your home alarm system, your refrigerator, or even your pacemaker.

Last year we greatly expanded the capability of DHS’s National Cybersecurity Communications Integration Center, or NCCIC. The NCCIC increased its distribution of information, the number of vulnerability assessments conducted, and the number of incident responses.

At the NCCIC, last year we built a system to automate the receipt and distribution of cyber threat indicators in near real-time speed. We built this in a way that also includes privacy protections.

I have issued an aggressive timetable for improving Federal civilian cybersecurity, principally through two DHS programs:

The first is called EINSTEIN. EINSTEIN 1 and 2 have the ability to detect and monitor cybersecurity threats in our Federal systems, and are now in place across all Federal civilian departments and agencies.

EINSTEIN 3A is the newest iteration of the system, and has the ability to block potential cyber attacks on our Federal systems. Thus far E3A has actually blocked 700,000 cyber threats, and we are rapidly expanding this capability. About a year ago, E3A covered only about 20 percent of our Federal civilian networks. In the wake of the OPM attack, in May of last year I directed our cybersecurity team to make at least some aspects of E3A available to all Federal departments and agencies by the end of last year. They met that deadline. Now that the system is available to everyone, 50 percent are actually online, including the Office of Personnel Management, and we are working to get all Federal departments and agencies on board by the end of this year.

The second program, called Continuous Diagnostics and Mitigation, or CDM, helps agencies detect and prioritize vulnerabilities inside their networks. In 2015, we provided CDM sensors to 97 percent of the Federal civilian government. Next year, DHS will provide the second phase of CDM to 100 percent of the Federal civilian government.

We have worked with OMB and DNI to identify the Government’s high value systems, and we are working aggressively with the owners of those systems to increase their security.

In September, DHS awarded a grant to the University of Texas San Antonio to work with industry to identify a common set of best practices for the development of information sharing and analysis organizations, or ISAOs.

Finally, I thank Congress for passing the Cybersecurity Act of 2015. This new law is a huge assist to DHS and our cybersecurity mission. We are in the process of implementing that new law now. Just last week, I announced that we issued guidelines and procedures, required by this law, providing Federal agencies and the private sector with a clear understanding of how to share cyber threat indicators with the NCCIC, and how the NCCIC will share and use that information. We issued these guidelines and procedures consistent with the deadline set by the new law.

Funding is included for cybersecurity in the fiscal year 2017 budget request in the following key areas:

- \$274.8 million for the Continuous Diagnostics and Mitigation program which provides hardware, software, and services designed to support activities that strengthen the operational security of Federal .gov networks, an increase of more than \$170 million over the fiscal year 2016 enacted level.
- \$471.1 million sustains the EINSTEIN program, to continue to combat intrusions, enhance information sharing, and deploy analytical capabilities to secure the Federal civilian information technology enterprise.
- The fiscal year 2017 budget request sustains ICE and USSS resources to combat cyber-crime and investigate cyber-criminals.

IMMIGRATION/BORDER SECURITY

Immigration policy must be two sides of the same coin.

The resources we have to enforce immigration laws are finite, and we must use them wisely. This is true of every aspect of law enforcement.

With the immigration enforcement resources we have, ICE is focused more sharply on public safety and border security. Those who are convicted of serious crimes or who have recently been apprehended at the border are top priorities for removal. And we will enforce the law in accordance with these priorities.

Accordingly, over the last several years deportations by ICE have gone down, but an increasing percentage of those deported are convicted criminals. And, an increased percentage of those in immigration detention, around 85 percent, are in the top priority for removal. We will continue to focus our resources on the most significant threats to public safety and border security.

In furtherance of our public safety efforts, in 2014 we did away with the controversial Secure Communities program and replaced it with the new Priority Enforcement Program, or PEP. PEP fixes the political and legal controversies associated with Secure Communities and enables us to take directly into custody from local law enforcement the most dangerous, removable criminals. Since PEP was created, cities and counties that previously refused to work with Secure Communities are coming back to the table. Of the 25 largest counties that refused to work with ICE before, 16 are now participating in PEP. In 2016, we will work to get more to participate.

And, because we are asking ICE immigration enforcement officers to focus on convicted criminals and do a job that's more in the nature of law enforcement, last year we reformed their pay scale accordingly. Now, the pay scale for these immigration officers is the same as other Federal law enforcement.

We have also prioritized the removal of those apprehended at the border. We cannot allow our borders to be open to illegal immigration.

Over the last 15 years, our Nation—across multiple administrations—has invested a lot in border security, and this investment has yielded positive results. Apprehensions by the Border Patrol—which are an indicator of total attempts to cross the border illegally—are a fraction of what they used to be.

In fiscal year 2014, overall apprehensions by the Border Patrol increased, as we saw a spike in the number of families and unaccompanied children from Central America during the spring and summer of 2014. That year the overall number of apprehensions was 479,000. Across the Government, we responded aggressively to this surge and the numbers fell sharply within a short period of time.

In fiscal year 2015, the number of those apprehended by the Border Patrol on the southwest border was 331,000—with the exception of 1 year, the lowest since 1972.

From July to December 2015 the numbers of migrants from Central America, especially families and unaccompanied children, began to climb again.

In January I announced a series of focused enforcement actions to take into custody and remove those who had been apprehended at the border in 2014 or later and then ordered removed by an immigration court. I know this made a lot of people I respect very unhappy. But, we must enforce the law in accordance with our priorities.

In January overall apprehensions by the Border Patrol on the southwest border dropped 36 percent from the month before. At the same time, the number of unac-

accompanied children apprehended dropped 54 percent, and the number of those in families dropped 65 percent. So far in February, the numbers have remained at this decreased level. This 6-week decline is encouraging, but it does not mean we can dial back our efforts. Traditionally, illegal migration increases in the spring. We will do all we can to prevent another summer surge in illegal crossings. We will continue to enforce the law consistent with our priorities for enforcement, which includes those apprehended at the border in 2014 or later.

Then there is the other side of the coin. The new enforcement policy the President and I announced in November 2014 makes clear that our limited enforcement resources will not be focused on the removal of those who have committed no serious crimes, have been in this country for years, and have families here. Under our new policy, these people are not priorities for removal, nor should they be.

In fact, the President and I want to offer, to those who have lived here for at least 5 years, are parents of U.S. citizens or lawful permanent residents, and who have committed no serious crimes, the opportunity to request deferred action on a case-by-case basis, to come out of the shadows, get on the books, and be held accountable. We are pleased that the Supreme Court has agreed to hear the case of *Texas v. United States*, which involves the new deferred action policies we announced in November 2014.

Our overall policy is to focus our immigration enforcement resources more effectively on threats to public safety and border security, and, within our existing legal authority, do as much as we can to fix the broken immigration system. We're disappointed that Congress has not been our partner in this effort, by passing comprehensive immigration reform legislation.

Finally, we recognize that more border security and deportations may deter illegal migration, but they do nothing to overcome the "push factors" that prompt desperate people to flee Central America in the first place. We are prepared to offer vulnerable individuals fleeing the violence in Central America a safe and legal alternate path to a better life. We are expanding our Refugee Admissions Program to help vulnerable men, women and children in Central America who qualify as refugees. We are partnering with the U.N. High Commissioner for Refugees and non-governmental organizations in the region to do this as soon as possible. This approach builds on our recently established Central American Minors program, which is now providing an in-country refugee processing option for certain children with lawfully present parents in the United States.

The President's fiscal year 2017 budget request includes the following key resources for immigration and border security:

- \$7.0 billion to fund the salaries and benefits of Border Patrol agents and CBP officers. In fiscal year 2017, CBP plans to hire up to 21,070 Border Patrol agents, a decrease of 300 from the 2016 enacted level, and 23,821 CBP officers.
- \$1.4 billion to enable U.S. Immigration and Customs Enforcement to maintain nearly 31,000 detention beds for individuals presenting a flight risk, a risk to public safety or national security, or who are subject to mandatory detention.
- \$2.0 billion sustains the Coast Guard counter-drug and alien migration interdiction operations. These intelligence-driven mission activities are critical to disrupting Transnational Criminal Organizations and securing the southern border.
- \$1.6 billion sustains the Coast Guard's ports, waterways, and coastal security efforts. These include screening to ensure unauthorized and illicit individuals do not gain access to, or disrupt, key maritime transportation and commerce nodes. All crew, passengers, and cargo of vessels over 300 tons are screened prior to arrival in U.S. waters to mitigate potential risks to our Nation.
- \$319 million, a decrease of more than \$370 million, to cover the costs associated with the temporary care and transportation of up to 75,000 unaccompanied children, along with other resources for the custody of adults with children who cross our borders.
- \$126.0 million for the Alternatives to Detention Program, an increase of \$12 million, to monitor 53,000 average daily participants, including families, who may pose a flight risk but who are not considered a threat to our communities. The ATD program places low-risk individuals under various forms of non-detained, intensive supervision, which may include electronic monitoring.
- \$347.5 million for the Criminal Alien Program, an increase of \$7 million, to support ICE in the apprehension and removal of both at-large and incarcerated convicted criminals. These resources include funding for an additional 100 officers to support the expanded implementation of PEP.
- \$268.4 million, an increase of \$30 million that sustains the increase of 311 attorneys in the fiscal year 2016 appropriation, for ICE's Office of Principal Legal

Advisor, which represents the U.S. Government in removal proceedings and litigated over 400,000 immigration related cases in fiscal year 2015.

- \$355.7 million to maintain the necessary infrastructure and technology along the Nation's borders to ensure CBP law enforcement personnel are supported with effective surveillance technology to improve their ability to detect and interdict illegal activity in a safer environment. This represents a decrease of \$91 million from the substantial increase provided in the fiscal year 2016 appropriation.

REFUGEES

We are doing our part to address the Syrian refugee crisis. USCIS, in conjunction with the Department of State, is working hard to meet our commitment to admit at least 10,000 Syrian refugees by the end of this fiscal year. We will do this by carefully screening refugees in a multi-layered and intense screening process involving multiple law enforcement, national security, and intelligence agencies across the Federal Government.

SECRET SERVICE

Over the last year, Director Joe Clancy of the Secret Service has done a tremendous job reforming the agency, including hiring a chief operating officer from outside the Secret Service, altering the structure and management of the agency, ramping up efforts to hire new members of its workforce, and expanding training opportunities. In 2016 we will continue to work on areas that still need improvement.

The President's fiscal year 2017 budget requests \$108.2 million to enhance White House security, an increase of \$42 million, which includes support for the U.S. Secret Service's Operational Mission Support initiative to enhance protection at fixed and temporary sites and includes advanced protective countermeasures.

THE COAST GUARD

With the help of Congress, in 2016 we will continue to modernize the Coast Guard fleet, including all major air and surface asset lines. We propose continuing these investments in the 2017 budget request, and we seek an additional \$150 million for the design of a new polar-class icebreaker.

Our fiscal year 2017 budget request includes \$1.1 billion to support the Coast Guard's air and surface fleet recapitalization, to include \$240.0 million for production of four fast response cutters; \$130.0 million to convert Air National Guard C27J aircraft for Coast Guard use; \$150.0 million for acquisition activities for a new polar icebreaker; and \$100.0 million to complete evaluation of detailed design and long lead time material for the lead offshore patrol cutter.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

Our fiscal year 2017 budget includes \$243 million to support the Federal Law Enforcement Training Center's (FLETC's) mission. Since 2012, FLETC has trained more than a quarter million Federal, State, and local officers and agents. At the same time, FLETC continually updates its curriculum to address the biggest challenges facing law enforcement, to include training for active shooter situations, cyber forensics, and human trafficking.

FEDERAL EMERGENCY MANAGEMENT AGENCY

The Federal Emergency Management Agency (FEMA) continues to carry out its extraordinary responsibility of supporting the American people and communities to prepare for, respond to, and recover from various disasters. FEMA will continue to focus on efforts to enhance resilience and mitigation measures before disaster strikes, to prevent loss and save lives.

Our fiscal year 2017 budget request supports the Disaster Relief Fund, grant programs, disaster preparedness plans, and training for our homeland security and law enforcement partners. This includes \$6.7 billion to sustain relief fund levels that provide immediate and long-lasting assistance to individuals and communities stricken by emergencies and major disasters. Our 2017 budget request also includes \$365.0 million for the Pre-Disaster Mitigation Fund and for flood hazard zone mapping. The administration is committed to helping communities take steps to protect themselves from extreme weather and other climate impacts. These investments build on recent progress and pursue strategies to build a more climate-resilient America.

LAWFUL TRADE AND TRAVEL

We continue to promote lawful trade and travel. We will continue to pursue the President's United States-Mexico High Level Economic Dialogue and his Beyond the Border Initiative with Canada. We are implementing "Single Window" for international trade, which, by December 2016, will enable the private sector to use just one portal to transmit information to 47 Government agencies about exports and imports, thereby eliminating over 200 different forms and streamlining the trade process.

CONCLUSION

As I stated before, developing this budget request within the topline constraints of the bipartisan budget agreement of 2015 required difficult choices. But I am confident that the Department of Homeland Security will build upon the progress we have made over the past year and continue to fulfill our vital mission of keeping the homeland safe.

I again thank you for the opportunity to speak here today and for your continued support of DHS.

I look forward to your questions.

BUDGETARY PRIORITIES

Senator HOEVEN. Thank you, Mr. Secretary. And we will start with 5-minute rounds for the questions.

Let us go right to the fee issue first. I do not think that that is likely to happen, that fee increase. That creates about \$909 million that we are going to have to find in other areas. And I guess I would just start with your ideas in terms of prioritization as to how we should approach that.

Secretary JOHNSON. Well, first of all, I do believe that a fee increase is wholly appropriate in connection with aviation security. To increase the fee to air passengers and to air carriers, I think, is appropriate, and I think it is worthwhile when you are talking about aviation security in particular.

I understand the reality of the difficulty of doing that. I note that in connection with the Murray-Ryan budget deal in 2013, the air passenger fee was increased from, I think, \$5 to \$5.60. So it is not impossible. And a lot of us believe that, when it comes to aviation security, an increase in the fees around air travel is appropriate.

In terms of my priorities, they are reflected in the budget request, and they are reflected in my prepared statement. I do constantly think about adequate funding for aviation security, cybersecurity, recapitalization of our Coast Guard, adequate funding for all the things we need to do for the Secret Service, and adequate funding for our border security and immigration enforcement activities.

In any budget discussion, you always have to be mindful about the longer term investments, too. We are working right now in a DHS headquarters that is, frankly, wholly inadequate for our mission. It was supposed to be temporary 12 years ago, and it is still there and we still work there, and there are huge, huge drawbacks to the ability of my leadership to conduct our oversight of a 225,000-person workforce in our current headquarters.

We made an investment in St. Elizabeths, and the more we put into it now, the less expensive it will be and the less time it will take to eventually get there. I was pleased that in this year's budget, the Congress funded enough to finish the completion of the main building, and if we stay on track and we stay at the schedule

reflected in this budget, we will actually get there sooner rather than later, and it is going to cost less and not more.

But the immediate priorities are, as I have stated as part of this answer, sir, the long-term investments I really do believe we need to make in terms of the headquarters and the other things we need to do.

Senator HOEVEN. Senator Carper and others, and you as well, convinced me that DHS should stay on track to move to the new facility. You know, I thought that maybe we should use some of those funds in other areas, but I understand that you feel the new headquarters will generate both better results and cost savings over time. In talking to the authorizers, that was their opinion as well. Certainly, Senator Carper was influential in that discussion, and so we are trying to help with that investment. But we are going to be pressed in some areas on this budget, and so we really are going to have to work with you—to the extent you want to—on prioritizations.

Another area where I see real pressure coming and, you know, we are going to have to do some reprioritization is in your detention beds because you are already running at a level where the funding in this budget would be below your current census. And I anticipate that your population will actually increase, not go down.

Now, if you can convince me that somehow you are able to remove more of those individuals, that might be a cost savings, but in looking at your detention beds and family operations, you are not requesting funding at the level that your current census would require.

Secretary JOHNSON. We have requested about 31,000 detention beds. I think it is important that we be able to transfer that funding from single adult to families as the need arises back and forth. At the time we made the request, we were dealing with an average detention capacity in fiscal year 2015 of about 28,000. I would say today as I sit here we are at about 31,000.

Senator HOEVEN. Well, your average census right now is about 33,000 so—

Secretary JOHNSON. That—

Senator HOEVEN [continuing]. If you are at 31,000 then it is down a little versus your current average.

Secretary JOHNSON. I believe in fiscal year 2016 so far we are at about 33,000 overall. As I sit here right now, we are at about 31,000 today. That is the photograph today, the snapshot today.

But I think that it is critical that we have some flexibility in terms of moving back and forth between families—

Senator HOEVEN. Right.

Secretary JOHNSON [continuing]. And single adults. But I do think that the number we have submitted reflects hard choices, and also, frankly, it reflects what we think we need. And we ran at about 31,000 last year.

STATE AND LOCAL PREPAREDNESS GRANTS

Senator HOEVEN. And then to just kind of finish on this topic of budget concerns, the other area is FEMA State and local preparedness grants, a shortfall of about \$560 million. So somehow we are going to have to, through flexibility and prioritization given the

fees, with what you are going to need in detention beds and the FEMA grants, to me, that looks like the toughest part of making this budget come together——

Secretary JOHNSON. Yes.

Senator HOEVEN [continuing]. And we welcome your input because we are clearly going to be working on that in terms of some reprioritization and trying to find some solutions. And so we will work with you, and again, any input you have that can help, we want to make sure——

Secretary JOHNSON. Senator, without a doubt, this budget request reflects hard choices given the caps. And the way the 2-year deal was structured, 2016 was a little better than 2017. We are now having to deal with——

Senator HOEVEN. Right.

Secretary JOHNSON [continuing]. 2017.

Senator HOEVEN. Yes. This will be——

Secretary JOHNSON. I——

Senator HOEVEN [continuing]. A tougher budget.

Secretary JOHNSON. I am a strong believer in the usefulness and effectiveness of our grant money. I have seen it firsthand in active shooter training, in the ability to fund communications and surveillance equipment, and in the ability to fund overtime for police and firefighters. But again, this reflects hard choices. I am not as happy as I could be with how we can fund our homeland security activities, but we have got to live within that ceiling.

Senator HOEVEN. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

I would like to pick up on the preparedness grants issue, Mr. Secretary, because, as we are all well aware, it is those first responders who are on the front lines, whether it is firefighters, local law enforcement or emergency management officials who are usually dealing with disasters and potential security threats first. This budget, as I read it, cuts those State grants by about 57 percent, urban grants by 45 percent, transit grants by 15 percent, and port grants by 7 percent.

Can you talk about how you came up with those figures and what rationale was used. What do we think the impact is going to be on the local level if we do in fact make the cuts that are proposed in this budget?

Secretary JOHNSON. I will say a couple things, Senator. One, up until very recently, States and cities were limited to 2 years in terms of their ability to spend the money. They would have 2 years to spend it. And I think you and I may have even had this conversation——

Senator SHAHEEN. Yes.

Secretary JOHNSON [continuing]. At one point.

Senator SHAHEEN. We have had this issue.

Secretary JOHNSON. I changed that policy to 3 years to make it a little more flexible so that States had more time and cities had more time to spend the money in year 1 and year 3. So that went into the thinking with respect to this grant proposal.

The other thing again is this budget reflects hard choices to live within the caps that the Congress and the President have agreed to. Having said that, I do believe that Homeland Security grant-

making is very, very important. Given how the global terrorist threat has evolved to include the threat of lone-wolf actors, small-scale attacks that involve mass shootings by one or two actors who were not previously on the radar and who are very often home-born or homegrown, local law enforcement has taken on much of our counterterrorism mission.

I said at a graduation ceremony for 1,200 New York City police officers in December, the cop on the beat may be the first one to detect the next terrorist attack on the United States. And a lot of our grant-making is put to good use in a lot of police departments around the country.

So at the end of the day, the appropriators will determine how best to come up with a budget within our caps. Grant-making is important.

COUNTERING VIOLENT EXTREMISM

Senator SHAHEEN. Thank you. And you mentioned the potential of terrorist threats, the lone wolves. One of the things that I think is important in the budget proposal is the money that is appropriated for countering violent extremism, as I mentioned in my opening statement. I had the chance to question the Secretary of State yesterday about the efforts that State is doing on the same issue, to counter violent extremism. And I raised the program that started within DHS and how you all were coordinating those efforts.

So I would ask you about how you envision the funds for CVE to be used and also if you could talk a little bit about how you see the coordination function working with State and DHS?

Secretary JOHNSON. I think it is better than it was. We now have an interagency task force that includes the Department of State and the Department of Justice (DOJ). DHS is the lead in that task force, and I am sure there are other agencies involved. Senator, as you probably know, this is a personal mission of mine. I have spent a lot of time in Muslim communities in particular around the country on our CVE efforts. I think that domestically it is critical that we build bridges to a lot of communities, including Muslim communities, and I think we are doing that.

I also think it is critically important that we provide resources at the local level to help communities to deal with the problem of individuals who may be turning toward violence. I heard that over and over again when I would do these visits, and so I was very pleased that Congress this year provided \$50 million for that purpose. I think that is a great thing. We are asking for \$49 million for next year.

And I am really pleased also that our CVE efforts are getting bipartisan support from Republicans and Democrats who appreciate the importance of this effort. There is a lot that the tech sector can do, which we have talked to them about to help amplify to counter the message of the Islamic State. That is not a Government mission. That is a private sector, tech sector mission. I see more and more of the tech sector getting involved in that, and so we want to help them partner with Muslim leaders and talking to philanthropies as well.

But I do think that the grant money for CVE, which we have begun this year and we want to continue, has been and will be used very effectively. And the CVE effort, given how the global terrorist threat has evolved, is in my view as important as any other Homeland Security effort.

STATE AND LOCAL PREPAREDNESS GRANTS: DISBURSEMENT

Senator SHAHEEN. Thank you. If I could just do a follow-up, Mr. Chairman, even though my time is up because I think it is relevant to this issue. The funding that was awarded in 2016, my understanding is that it is not actually going to be out in communities and be disbursed until the end of the year at the earliest. Can you talk about why the additional funding is needed even though that money is still in the pipeline and has not been used yet?

Secretary JOHNSON. Well, I suspect the answer is that because this is new money, it takes an effort to start up the process for the grant awards, grant applications, and so forth. And that is why you are probably hearing that we will not be able to distribute it until the end of the fiscal year. But I want to keep that pipeline going. I think this should not be a 1-year-only deal. I think we need to keep at this, which is why we are asking for more money in 2017.

Senator SHAHEEN. Thank you. Thank you, Mr. Chairman.

Senator HOEVEN. Senator Cochran.

BUDGET CAPS

Senator COCHRAN. Thank you, Mr. Chairman.

There are several areas, Mr. Secretary, where you have outlined previously some goals and ambitions for the Department. To what extent do you think this budget authority that you will be given by the Congress is sufficient? Is the administration's request sufficient in itself or do you have additions to make to those requests that have already been submitted?

Secretary JOHNSON. I think that we have done the best we can do within the budget caps that we have to adequately fund our vital Homeland Security missions, which include aviation security, maritime security, cybersecurity, the Secret Service, and our other missions. There are some hard choices reflected in this budget, including decreases in current funding levels.

I am pleased that the Congress is supporting the continuation of our efforts to recapitalize the Coast Guard. I am pleased that Congress this year is supporting our aviation security efforts. I want to more sharply focus on aviation security and double down on aviation security in particular. That is reflected in our budget request. And cybersecurity, of course, is a big issue, and so we are asking for increased levels of funding there. But overall, this request reflects the hard choices of living within the caps that we were given.

UNITED STATES SECRET SERVICE FUNDING

Senator COCHRAN. What about traditional, I guess you would call it, frontline enforcement officials that are hired under the authorities that existed prior to the creation of the Homeland Security Act? To what extent do we need to take a fresh look at the Secret

Service, for example? Are they being overworked? Are they stressed out? Do you have enough money to keep them adequately funded so their jobs that are very dangerous and very important to the security interests of our country are satisfied?

Secretary JOHNSON. Chairman, as you know, over the last several years the Secret Service has had its challenges. And in December 2014 an independent panel of outsiders did take a fresh look at the Secret Service. They were asked some hard questions about training, about manpower, about culture, about management. They delivered some good recommendations, all of which or almost all of which we're following—and I have told the Director of Secret Service to implement.

I would say the biggest challenge is the one that you mentioned, which is manpower and the opportunity to train. And so Congress has supported that effort with adequate levels of funding, and it is our job to make sure that hiring outpaces retirements and attrition. And that is something Director Clancy has been very focused on.

We do need to be sure that the Secret Service is adequately funded. We are in a Presidential election year right now where four candidates are supported by the Secret Service, and at the end of the year, we are going to have another former President to take care of. So staffing, manpower is very important, and whenever I get together with Director Clancy, that is topic of conversation number one. And I am pleased that in this request and in this fiscal year's budget, the Congress has come through and supported the Secret Service in its efforts. It is our job to make sure that we invest and spend up to those levels, and that is what I want to be sure Director Clancy is doing.

Senator COCHRAN. Very good. Thank you. We appreciate your service and all of those who work at the Department. There is no more important activity in my view that we face at the Federal level, and budgeting, trying to appropriate the dollars where they are needed the most to accomplish the very important responsibilities, activities of our service.

Secretary JOHNSON. Thank you.

Senator COCHRAN. Thank you. Thank you, Mr. Chairman.

Senator HOEVEN. Senator Murkowski.

POLAR ICEBREAKERS

Senator MURKOWSKI. Thank you, Mr. Chairman and Mr. Secretary. Thank you and welcome.

As I mentioned, I would like to speak about where we are with the Coast Guard budget and, more specifically to that point, icebreakers and the Arctic. I think we recognize that, as an Arctic nation, we have certain responsibilities, obligations, and icebreakers are right up there. And when you have about 1½ and one is in Antarctica almost full-time, it is an imperative. And I am very pleased that the administration has acknowledged that in this year's budget. We have been working with you on this for a while, and so making sure that we have that support for not only moving towards an icebreaker but acceleration of bringing that icebreaker online, as the President has outlined, I think is critically important.

You also know that I have been a staunch defender of the Coast Guard at all levels and in making sure that they have the assets they need to do the job. And so I want assurances from you, Mr. Secretary, that we do have adequate funding in this year's budget to ensure the President's deadline of awarding construction of this new icebreaker by 2020, while at the same time we are on track with keeping the national security cutter (NSC), the offshore patrol cutters (OPCs), and the fast response cutters (FRCs) acquisition programs on time and on budget because what I would hate to see is that we are sacrificing one at the expense of the other. We need both, and the recapitalization effort that you have spoken to is critically important for our country, so if you can speak to that.

Secretary JOHNSON. The answer is yes——

Senator MURKOWSKI. Good.

Secretary JOHNSON [continuing]. Both with respect to the current year and the request for the next year. I am very pleased that in our request there is \$150 million for the design of the new icebreaker. As you know, because of the increasing commercialization in the Arctic and for national security reasons, we need a second heavy icebreaker beyond the *Polar Star*. We have the *Polar Sea*, which is not operational, and so we need a second heavy icebreaker in addition to the lighter ones we already have.

Alongside of that, we are still continuing with the recapitalization of the FRCs, building more FRCs. In this budget request there is a request for four. We are moving forward with the offshore patrol cutter. I expect that we will make a selection for the contractor sometime this year. For the OPC, there is, I believe, \$100 million to continue with that program. And as you know, this year we are tasked and given funding to build a ninth national security cutter.

So all three of those programs continue and are moving forward. I think that is a good thing. And we have the money for the icebreaker. Some people are concerned that we might be moving too fast, but our goal——

Senator MURKOWSKI. They have not talked to me.

Secretary JOHNSON. They have not talked to you. That was what I was met with at this morning's House Appropriations meeting. And we believe that we can stay on track and we should stay on track with respect to the \$150 million this year so that we can begin production by 2020.

NINTH NATIONAL SECURITY CUTTER

Senator MURKOWSKI. Well, I appreciate that response, and know that you have got an ally in me in terms of how we can ensure people understand the imperative of building this out and doing it quickly. We recognize that it is expensive, but we also recognize that it is the Coast Guard's study that it be not just one icebreaker but there actually be three polar icebreakers and three smaller icebreakers. So making sure we have a trajectory going forward on that is going to be an issue for us as well.

I want to switch now to the national security cutter program. You mention the approval to build out the ninth NSC, which for us from an Arctic perspective is absolutely key. We have seen national security cutters every season in the summer up in the Arctic as we are seeing different traffic, different folks poking around up

there that you probably would not anticipate, and knowing that we have the capabilities of these NSCs out there is very critical.

The question for you this afternoon is home-porting of this ninth national security cutter or even another NSC that is currently slated for elsewhere. I think we need to be looking to a home port that is closer to the Arctic. Right now, the closest is Alameda, California. It is a long haul from Alameda, California, to get up into the Arctic, into the Beaufort, into the Chukchi, into the areas in the gulf and the Bering Sea.

So recognizing what is happening in the Arctic and Coast Guard's need for expanded presence, can you comment on the prospects for a national security cutter to be stationed in Alaska?

Secretary JOHNSON. As you know, I am sure, Senator, we have a process within the Coast Guard that the Commandant runs for determining home ports. And we are a ways off from the completion of the ninth cutter, so it would probably be premature for me at this stage to comment on whether or not it should be ported in the Arctic region. But I certainly understand the concern, and I certainly understand that Alameda is a long way away from the Arctic region.

Senator MURKOWSKI. But you do recognize that Coast Guard's role, their mission truly has expanded dramatically as we are seeing greater activity within the Arctic region. As the Commandant has said, it is like discovering a new ocean, and the Coast Guard is charged with responsibility over that—

Secretary JOHNSON. Yes.

Senator MURKOWSKI [continuing]. New ocean. So how we make sure that we can stage these critical assets in places where they can be most effective, most impactful is important. So I understand that there is a process, but I would also encourage you within the Department to look critically at the benefits of home-porting closer to where that activity is going to be.

With that, Mr. Chairman, thank you for the extra time.

Senator HOEVEN. Thank you, Senator.

Senator Cassidy.

FEDERAL EMERGENCY MANAGEMENT AGENCY: FLOOD MAPPING

Senator CASSIDY. Thank you, Mr. Chairman.

Secretary, a couple things: First, just a purely parochial issue, I have some folks I met with yesterday that are trying to set up a meeting with the folks at the FEMA headquarters regarding base flood elevations, flood maps, et cetera. Can my staff touch base with your staff to help arrange that meeting? They have been a little frustrated in doing so, so just trying to be—

Secretary JOHNSON. Yes, sir.

CYBERSECURITY EDUCATION

Senator CASSIDY [continuing]. An intermediary for my constituents—thank you. I appreciate that.

Secondly, to the point, your budget zeroes out the Cybersecurity Education Program, and every year our Committee puts it back in. And it seems like we have the better argument because in your testimony and elsewhere you mention the need to have better cybersecurity, which therefore of course suggests that we need a

better trained workforce. And I happen to know that there is one in Shreveport that is actually making an attempt to diversify the children who are—or the kids—I am old enough that a 20-year-old is a kid—are involved in such programs. So just trying to get a sense of why you all do not have the same prioritization for cyber education as we.

Secretary JOHNSON. Senator, I do agree that cyber education is important. That is reflected in the National Action Plan for Cybersecurity that the President announced 2 weeks ago. I would certainly prefer that we have more money for cyber education, but again, we have to live within the budget caps that have been agreed to between the Congress and the President. But I am agreeing with you in principle. I have been to some great cyber education institutions, including in your State, so I agree in principle with what you are saying. Unfortunately, this budget request reflects the hard choices we have got to live with, sir.

PRECHECK PROGRAM

Senator CASSIDY. You have mentioned the TSA and airport security. And obviously, I occasionally fly out of New Orleans, a big tourist city. There are going to be long lines in the non-TSA Pre✓® (PreCheck). I am imagining that we are expecting longer lines. So I guess kind of a series of questions along this, to what degree can you all expand the use of the PreCheck or Trusted Traveler Program, number one? Number two, I signed up my daughter. She flies with me commonly, and I put her in Trusted Traveler, and she actually ends up not getting in that. For whatever reason, it is not on her ticket. The airline, when I complain, assures me that it is——

Secretary JOHNSON. Trusted Traveler or TSA PreCheck?

Senator CASSIDY. She is in Trusted Traveler. Do I have a fundamental misunderstanding as to whether or not that would get her in the PreCheck line?

Secretary JOHNSON. I think it is probably better to sign up for TSA PreCheck per se. I think that—I am not real sure. I can get back to you on that.

Senator CASSIDY. Please. Please.

Secretary JOHNSON. Okay.

[The information follows:]

Answer. The Department of Homeland Security (DHS) has several trusted traveler programs that provide an improved passenger experience, while enhancing security and increasing systemwide efficiencies. The programs are customized based on travel needs and many of them have reciprocal benefits. There are a few ways for travelers to be selected for expedited screening at participating airport TSA Pre✓® (PreCheck) lanes. For frequent travelers, membership in the TSA PreCheck Application Program or U.S. Customs and Border Protection's (CBP) Global Entry program, allows the traveler to obtain a "PASSID," or "known traveler number," for use in making airline travel reservations. The known traveler number identifies the traveler to TSA as an individual who has been determined to be sufficiently low-risk and thereby eligible for participation in the program.

Expanding the number of vetted travelers using TSA PreCheck lanes ensures that TSA can focus time and resources on higher risk and unknown passengers at security checkpoints while maintaining appropriate wait times in standard lanes with no loss of security effectiveness. Doing so ensures TSA's commitment to its role as a high-performance counterterrorism organization and its ongoing support of the DHS mission to prevent terrorism.

TSA PreCheck dedicated lanes currently operate at more than 160 of our Nation's airports and on the country's most heavily traveled airlines, including two foreign air carriers. Additionally, TSA provides some form of expedited screening to eligible travelers at many airports that do not have a dedicated TSA PreCheck lane.

TSA continues to ensure that TSA PreCheck lanes are accessible to fully vetted trusted travelers; it continues to invest resources in marketing and branding to promote the TSA PreCheck Application Program and drive enrollment. For example, TSA continues to partner closely with airlines, stakeholders, major corporations, and travel companies to message the benefits of expedited screening and the TSA PreCheck Application Program. TSA also continues to drive awareness of the security effectiveness and time-saving advantages of TSA PreCheck through new advertising, including print and digital media, and the expansion of TSA PreCheck enrollment centers to more than 360 on- and off-airport locations, as well as critical partnerships with travel-related companies such as H&R Block, American Express, and Citibank. Each of these initiatives is aimed at making the TSA PreCheck brand widespread and enrollment more convenient.

Travelers who are members of a DHS trusted traveler program and who find that they have not received TSA PreCheck on their boarding passes should confirm that the known traveler number was entered correctly into the reservation system. To ensure that travelers receive appropriate consideration for TSA PreCheck, individuals who are a member of TSA PreCheck Application Program or a CBP program (Global Entry, SENTRI, or NEXUS), must ensure that they enter the personal information on their flight reservation exactly as it appears in the documentation on file with DHS. For example, when making an airline reservation, travelers must submit their name, date of birth, and gender exactly as it was provided at the time of enrollment (or as updated if a correction/update has been made). In addition, travelers must enter into the "known traveler number" field of their reservation, the known traveler number or PASSID that they were assigned when approved for the program. In many situations, it is a simple case of submitting a nickname instead of a full name, the transposing of letters or numbers in the known traveler number, or overlooking inclusion of the known traveler number altogether that prevents a passenger from receiving a TSA PreCheck-eligible boarding pass for a flight. For example, a passenger may enter the date of birth as 25/12/1981 rather than 12/25/1981, enter the name as Gerry instead of Gerald, or simply forget to include the known traveler number for a booking with one airline because they had previously provided it for a booking with a different airline.

In addition, it may be helpful for travelers who make their reservations through the use of a frequent flyer account, a travel agent, or through an online travel Web site, to confirm that their personal information (name, date of birth, gender, and known traveler number) is correctly on file within each system and a match to the information on file in the trusted traveler program. Members of a DHS trusted traveler program who are unsure of how their information is shown on file may contact the respective help center. Members of the TSA PreCheck Application Program may submit an online inquiry by visiting TSA's Universal Enrollment Services customer service at <https://universalenroll.dhs.gov/> and selecting the "Contact Us" tab, or by calling (855) 347-8371. Travelers who are enrolled in a CBP trusted traveler program (Global Entry, NEXUS, or SENTRI), should contact CBP through its information center at <https://help.cbp.gov/app/home>, via e-mail at cbp.goes.support@dhs.gov, or by telephone at (855) USE-GOES [(855) 873-4637].

Any member of a DHS trusted traveler program may call the TSA Contact Center at 1-866-289-9673 for assistance regarding any difficulties experienced with TSA PreCheck, to include nonreceipt of TSA PreCheck. Participating airlines now print a TSA PreCheck indicator on boarding passes to help passengers recognize that they are eligible for TSA PreCheck for that flight. Travelers who print a boarding pass and do not see the TSA PreCheck indicator are encouraged to call the TSA Contact Center to determine if their information was properly transmitted to TSA for TSA PreCheck consideration.

Senator CASSIDY. So just on a personal level I know that it is a great program, but not many people do because when I go through New Orleans, I am in the line but there are 100 people who are not. Is there a way that we can expand that? And I have one other question after that just to kind of get your thoughts there.

Secretary JOHNSON. Well, first of all, we are expanding it in the sense that last year, 1.5 million new people signed up for TSA PreCheck compared to 579,000 the year before. So the more people

sign up for TSA PreCheck, the more they have the occasion to get on that line.

To be quite honest with you, the administrator of TSA and I are making a renewed effort at aviation security. That has meant longer wait times at airports for those in the longer lines because of our renewed push on security and because of the travel volume. There are more people traveling right now and less managed inclusion. What that means is we are no longer pulling people at airports out of the longer line and putting them in the shorter line; that is, the TSA PreCheck line. We are doing less of that now because we want to put more people through the more focused aviation security efforts.

The Inspector General's report that was unfortunately leaked last summer was a bit of a wakeup call for TSA, and I made sure it was a wakeup call for TSA. And so the new administrator, with my support, is very focused on aviation security.

AVIATION SECURITY: RANDOM SCREENING

Senator CASSIDY. Then let me go to my question, which is I will be in line at DCA or New Orleans and mainly DCA, and a TSA screener comes out with a little pad and randomly wipes the hand of somebody—you know, there are 100 people waiting and randomly wipes the hand. There is no way that this is risk-based screening. It is entirely random.

Now, I have to know, once I put a question to TSA and did not get an answer, I would like to know how many of those kind of random screenings actually result in someone with an intent to bring an explosive on board getting caught? I am guessing it is about zero.

And another time I was at DCA about to board the plane beyond the security checkpoint, a TSA screener came up, pulled someone aside totally randomly as best I could tell—she looked more like a grandmother than she looked like anything else—and kind of goes through her stuff. And I am thinking if we are having a hard time with number of employees and want to expand the workforce, it seems better to focus it on more of a risk-based program as opposed to let us expand this kind of random sort of—we have 200 people waiting; let us grab three of them. Now, we are going to grab four because we have expanded it.

I would like to know whether or not you have ever caught anybody with that. And secondly, why do we not become more risk-based as opposed to winning the lottery, if you will, by occasionally getting the one person?

Secretary JOHNSON. Well, very definitely, part of aviation security is random screening, randomization. That is inherent in aviation security. But there are also aspects of aviation security that do focus on individuals on the basis of behavioral observation and on the basis of things about the nature of where they are going, where they have been, whether they fit a certain profile or not. But very definitely, part of it is random.

Senator CASSIDY. Now, I would love to see a frequency distribution of the degree to which the random checks have actually nabbed somebody who would not otherwise have been nabbed. For me, it seems almost kind of—again, here is a lady who is, say 65

years old is the last woman I saw, just kind of there looking like a tourist. Oh, excuse me, ma'am, we have got to wipe your hands. And——

Secretary JOHNSON. Well, first of all, I would be happy to have our TSA leadership come by——

Senator CASSIDY. That would be great. I would like that.

Secretary JOHNSON [continuing]. Talk to you more in detail about this. Random screening serves two purposes. One, you may catch somebody doing something, and also it serves as a deterrent. But I will be happy to send our TSA leadership by to——

Senator CASSIDY. Wonderful.

Secretary JOHNSON [continuing]. Meet with you for a greater in-depth conversation about this.

Senator CASSIDY. Thank you. I yield back.

Senator HOEVEN. The randomization, really it is a deterrent, is it not? The reason you do it is as a deterrent?

Secretary JOHNSON. That is——

Senator HOEVEN. I suppose once in a while——

Secretary JOHNSON [continuing]. Very definitely an aspect of it.

Senator HOEVEN [continuing]. You get somebody, but primarily, I think, it is a deterrent——

Secretary JOHNSON. Yes.

AVIATION SECURITY: USE OF CANINES

Senator HOEVEN [continuing]. That is my understanding.

One thing I think Senator Cassidy brought up last time and I do see more of it is use of canines, which I think is very effective.

Secretary JOHNSON. Yes.

Senator HOEVEN. What is the status in terms of using canines?

Secretary JOHNSON. We are using more canines both with respect to passenger screening and with respect to cargo screening at and around the airplanes before they take off. That is something that we have begun in—well, that we have stepped up in recent months. In some respects, there is no better technology than a canine.

Senator HOEVEN. It strikes me as a very effective deterrent because, you know, the dogs can walk around, past people that are in line, that are coming in line, that are, you know, even just moving around the airport. It seems to me that people notice it. The dogs' capabilities are remarkable and I think it is a very effective deterrent and would certainly encourage further use and anything we can do——

Secretary JOHNSON. Thank you.

FILLING PERSONNEL VACANCIES

Senator HOEVEN [continuing]. To help support that.

I would like to ask you about filling your personnel vacancies. You know, in a number of areas, Customs and Border Protection, Secret Service, cyber, a number of these areas you not only have some attrition issues, but you are just not able to hire enough people to fill the number of slots that you have requested and that you feel you need. So what steps are you taking? How is that coming in terms of filling some of these areas?

Secretary JOHNSON. Well, let me begin with cyber. As you know, there is a lot of competition for good cyber talent. I am competing

with other agencies, and I am competing with the private sector. I appreciate that in cyber legislation passed in 2014, Congress gave us greater ability to hire cyber talent, and so I have charged NPPD with ensuring that we do that, and I keep after them to make sure that we are doing that.

Senator HOEVEN. Are they telling you they have a reasonable pay/benefits package that they can attract the talent they need? Do they feel that that is an issue or do they feel they have a package that works?

Secretary JOHNSON. Kind of all of the above. I mean, it is tough to hire good cyber talent, without a doubt, but we have additional hiring authorities, and we are hiring at a pretty rapid rate. But there are vacancies that we can fill now that we have additional vacancies to fill. So it is an effort where we continually push our people to work at this.

With regard to the Border Patrol and some of our other law enforcement components, we have had a problem with getting people vetted fast enough, passing the polygraphs and so forth. So there has been an issue with hiring up to our authorities when it comes to the Border Patrol force. I think we are now at 21,070, which is about where the CBP leadership believes that it needs to be, but that was with a lot of effort to get there.

Senator HOEVEN. So——

Secretary JOHNSON. And then Secret Service I talked about earlier.

Senator HOEVEN. Yes. But there, it is an attrition issue——

Secretary JOHNSON. Yes.

Senator HOEVEN [continuing]. I think, as much as anything. And the other thing is length of hiring. I think you have got about a 500-day average in terms of filling some of these backlog areas. So do you feel the changes you have been able to make will address it satisfactorily? Do you have the flexibility you need?

Secretary JOHNSON. I feel——

Senator HOEVEN. Do you have what you need to try to make the changes you want to make?

Secretary JOHNSON. The honest answer to your question, Senator, is that with the help of Congress, we have been able to make some changes that are positive in this area, but it is a work in progress and it is challenge. I keep after my component leadership to make sure that we do as much as we can there.

BORDER PATROL: FUNDING FOR AGENTS, SURVEILLANCE TECHNOLOGY

Senator HOEVEN. Border Patrol, do you have what you need in Border Patrol in people and technology? What else would be helpful in terms of people and technology for the Border Patrol?

Secretary JOHNSON. In terms of Border Patrol agents, we are, in the view of our Border Patrol leadership, at about where we need to be, 21,070. In terms of technology, we could always use more investments in surveillance technology. I think that is reflected in our budget request, mobile surveillance in particular.

Senator HOEVEN. And in the budget, do you feel you have adequate funding for your surveillance technology? I have been down there, I have seen it, I think it is effective. I agree with you there should be more—what is your feeling on the budget number——

Secretary JOHNSON. Within the confines of the ceiling we have to work with, my answer is yes.

Senator HOEVEN. Do you have enough flexibility between budget lines as far as personnel such that if you are hiring personnel faster in one area and you are not able to get them in another area, do you have enough ability to move funds or is that an issue for you?

Secretary JOHNSON. Probably—I am going to say probably not. My CFO says I have it right, probably not. Yes.

WHITE HOUSE FENCE

Senator HOEVEN. Yes. Okay. That is my sense, too.

Well, Secret Service I guess we have covered pretty well. What about the White House fence? Remember, we had started down the trail of replacing the White House fence, but I do not see a request here to finish out replacing the White House fence.

Secretary JOHNSON. Yes, we put in the temporary fence a couple of months ago, which I believe has deterred fence-jumping. There was one incident that occurred after that that I know about. And longer term, we need to make the investment in a higher, better fence. But the fence we put in last year I think has served as a deterrent for the short term.

Senator HOEVEN. Okay. Senator Shaheen.

DRUG INTERDICTION

Senator SHAHEEN. Thank you.

In my opening statement I talked about the challenges we are facing in New Hampshire and so many other States with respect to the heroin and opioid epidemic. We are losing a person a day in New Hampshire from overdose deaths, this is about three times as many people as who die in traffic accidents in New Hampshire.

Last spring, Senator Hoeven and I had the opportunity to go down to our southern border and meet with Customs and Border Protection in Laredo and watch some of the dogs in action as they were trying to find drugs being smuggled across the border. And I remember very vividly the conversation with CBP where they talked about drugs coming across the southern border and going up the interstates, up 95, which is how they get to New Hampshire, and then up 35 across the middle of the country.

Obviously, we have got to confront this crisis on many fronts. One piece of it is the interdiction of drugs and the challenges that CBP and Coast Guard are facing as they look at how to keep those drugs from coming across the border. So can you talk first about whether there are other things DHS can do. You just mentioned that you think we are about right in terms of CBP personnel. Can you talk about what additional role they might be able to play in interdiction and whether the budget is there to support that role?

Secretary JOHNSON. Well, I also believe there is a role for Homeland Security Investigations (HSI)—

Senator SHAHEEN. Absolutely. I should have mentioned that.

Secretary JOHNSON [continuing]. And HSI is part of an inter-agency task force with DOJ, components of DOJ to deal with the heroin epidemic in New Hampshire and elsewhere. We have had considerable success at the border with interdiction, but there is

the interior effort as well. We have stepped up our interior enforcement efforts with HSI, and as you know, the Coast Guard does a terrific job at sea. One of our national security cutters you may know, the Stratton, went out on a 4-month mission off the coast of Central and South America, and in just 4 months itself seized more than \$1 billion in illicit narcotics, including two cartel submarines. I did not know cartels had submarines until last year.

But the heroin epidemic is very real, and it has become an inter-agency coordinated task force mission.

Senator SHAHEEN. And so when you say it has become an inter-agency mission, can you talk a little bit about what that means? How are you working across agencies within Homeland Security and with other parts of—

Secretary JOHNSON. I—

Senator SHAHEEN [continuing]. The Government. How are DHS and Justice working on this issue?

Secretary JOHNSON. I know HSI has been involved in this effort with the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), and that has been a relatively recent phenomenon. And I am happy to get you more details and, you know, a briefing. We can have our law enforcement personnel—

Senator SHAHEEN. That would be great.

Secretary JOHNSON [continuing]. Come in and talk to you about it.

Senator SHAHEEN. I would very much appreciate that.

Secretary JOHNSON. Sure.

SPECIAL IMMIGRANT VISA PROGRAM

Senator SHAHEEN. Another issue that I have been working on for a very long time is special immigrant visas. You are probably aware that you and Secretary Kerry received a letter from Senators McCain and Reed, the chair and ranking member of the Armed Services Committee, as well as myself about the Special Immigrant Visa program and the recent interpretation of language in the Defense authorization bill for this year that changed the interpretation of how those visas would be awarded. And I would hope that you would consult with State on this issue.

I had a chance to raise this concern with Secretary Kerry yesterday at the Foreign Relations Committee hearing, and he was very responsive to the idea that perhaps they needed to take another look at the interpretation because certainly, I think, for those of us who worked on that Defense authorization bill, our understanding of what that language meant was different than what State and DHS have interpreted.

So can you tell me whether you are willing to take another look at that and whether you have been consulting with State in doing that?

Secretary JOHNSON. I have read your letter. I thought it was a good letter. Hats off to whoever wrote the letter. I thought it made some good points. It is a legal question which we are having our lawyers look at. For myself, I do believe that an expression of congressional intent from Congress directly on a point is very relevant. So we have the letter and we are looking at the question.

Senator SHAHEEN. Thank you. I appreciate that. And as we all know, the attorneys can interpret the law in many different ways. I agree with you; I think congressional intent is very important here. So I appreciate that. Thank you.

Senator HOEVEN. Senator Cochran.

UNMANNED MARITIME SYSTEMS AND SENSORS

Senator COCHRAN. Mr. Chairman, my wide-awake staff has decided I need to ask one more question. Mr. Secretary, as your department continues to analyze the potential applications and performance of using unmanned aerial systems in its operations, would you provide this subcommittee with an inventory of existing unmanned maritime systems and sensors that you are researching?

Secretary JOHNSON. Yes, sir. We will.

[The information follows:]

Answer. U.S. Customs and Border Protection's (CBP) Air and Marine Operations currently operates nine MQ-9 (Predator B) unmanned aerial systems, of which three aircraft are configured with the SeaVue maritime radar system. The systems are used jointly by CBP and the United States Coast Guard (USCG).

USCG's Research and Development Center owns a small complement of 32 small, Group I, unmanned systems for further research and development initiatives of small unmanned aerial systems and payloads. Each of these small unmanned aerial systems is equipped with a video imagery system. Funded in fiscal year 2015 and fiscal year 2016, the Coast Guard also is executing the acquisition of Group II/III unmanned aerial systems for the national security cutter, with an anticipated initial operating capability employment late in the calendar year or early next calendar year. USCG's sensor requirement for the initial capability is an electro-optical/infrared system. Future sensor capabilities being researched for a later phase of the acquisition include collision avoidance capability, air and surface search radar, and an automated system to augment pilots' ability to detect surface targets with electro-optical/infrared sensors.

The DHS Science and Technology Directorate (S&T) currently is not operating any unmanned aerial systems on its own. It is partnering with multiple unmanned aerial systems equipment manufacturers that have enrolled a project sponsored by S&T. The Robotic Aircraft for Maritime Public Safety project provides a forum for small unmanned aerial system suppliers to evaluate their equipment under a wide variety of simulated but realistic and relevant USCG scenarios. This project is studying fixed- and rotary-wing aircraft with the objective of creating a knowledge resource database of test and evaluation reports, user testimonials, and guidelines for use by USCG. The Robotic Aircraft for Maritime Public Safety project is a joint program between S&T and the USCG Research and Development Center and is conducting four testing evolutions.

Senator COCHRAN. Thank you. Thank you, Mr. Chair.

Senator HOEVEN. Pretty good.

Senator COCHRAN. How about that?

Senator HOEVEN. Just like that.

Senator COCHRAN. I got a crackerjack staff.

Senator HOEVEN. Cut right to it. Could you also provide us with that for not just maritime but on the border——

Secretary JOHNSON. Yes.

Senator HOEVEN [continuing]. Unmanned aircraft systems (UAS) as well?

Secretary JOHNSON. Yes.

[The information follows:]

Answer. CBP's Air and Marine Operations currently operates nine MQ-9 (Predator B) unmanned aircraft systems outfitted with either the VADER for over-land missions or the SeaVue for maritime mission sets. On one of its aircraft, CBP is researching and testing the Due Regard Radar system, a sensor designed to locate air traffic and avoid collision in a nonterrestrial radar environment. Also, CBP is

evaluating software upgrades of existing sensor payloads in current inventory and the integration of Minotaur, a common operating configuration, to improve existing payload architecture.

In addition to CBP's MQ-9 unmanned aircraft, the U.S. Border Patrol has nine Instant Eye small unmanned aerial system kits. Each kit consists of two air platforms and one Ground Control Station. These platforms currently are not deployed for operational use, pending coordination with the Federal Aviation Administration.

S&T currently is not operating any unmanned aerial systems on its own. It is partnering with multiple unmanned aerial systems equipment manufacturers that have enrolled in two projects sponsored by S&T. The Robotic Aircraft for Public Safety project provides a forum for small unmanned aerial system suppliers to evaluate their equipment under a wide variety of simulated but realistic and relevant first responder, law enforcement, and border security scenarios. The current program (Robotic Aircraft for Public Safety II) evaluations incorporate U.S. Border Patrol-specific scenarios (day and night) to refine small unmanned aerial systems requirements and concept of operations. This project is studying fixed- and rotary-wing aircraft with the objective of creating a knowledge resource database of test and evaluation reports, user testimonials, and guidelines for use by CBP and the first responder community. Ten Robotic Aircraft for Public Safety Phase II testing evolutions are being conducted from January to July 2016.

The Robotic Aircraft for Maritime Public Safety project has similar objectives and focuses on the maritime domain and its public safety community. The Robotic Aircraft for Maritime Public Safety program is a joint program between S&T and the USCG Research and Development Center and is conducting five testing evolutions.

The U.S. Secret Service currently does not operate unmanned aerial systems for official protection or other operations. The limited inventory of five small unmanned aerial systems now on hand was used within the last year only to test a technology meant to counter small unmanned aerial systems being used to threaten U.S. interests/persons.

Senator HOEVEN. Thank you.

Senator SHAHEEN. And you will share that with the Committee, I assume?

Senator HOEVEN. Yes, for the Committee.

Secretary JOHNSON. Okay.

BORDER SECURITY

Senator HOEVEN. In fiscal year 2015 we saw a reduction in the number of unaccompanied alien children versus fiscal year 2014, but now in fiscal year 2016, the numbers are coming back up. So if you would talk about what you are doing to stem that flow.

Secretary JOHNSON. Yes, Senator. This is a report that is issued daily for me with these numbers, these migrant numbers on the southwest border. It is one of the first things I look at when I come to work in the morning, along with my daily intelligence. And, as you noted, in fiscal year 2015 we were down around 331,000, which is the second-lowest apprehension number since 1972, 2014 was 479, 2015 was 331. In the fall, the beginning of fiscal year 2016, we began to see the numbers rise again, and they were reaching by December levels that looked like they were approaching the summer spike we had in 2014.

So January 4 I issued a statement laying out our comprehensive plan for dealing with it, which included more focused interior enforcement against those, directed at those who were part of families who had been ordered removed by an immigration court, whose appeal time had run, and who had no pending asylum claim. I stated that publicly and announced that publicly.

The effort has not been limited to just the one weekend. It has continued. Since the beginning of the year, the numbers have gone down reflected on this chart right here. The blue line is up to date,

and the spike that you see there is the end of last year. The numbers now in January and February are down around where they were this time last year. So January and February of this year look a lot like January and February of last year, but we are concerned about the traditional seasonal increase that always—

Senator HOEVEN. Right.

Secretary JOHNSON [continuing]. Occurs. And so I think a big part of this and a big part of border security is our enforcement priorities, and those apprehended at the border are priority one for enforcement, along with the others in that category. It is not real popular. Some people are very unhappy with that, but I think it is fundamental to our border security efforts. We have to mean what we say when we say we are going to send you back if you come here illegally.

So this is something—and that includes people who are part of families, and that includes unaccompanied children, consistent with our laws. So that is where we are.

Senator HOEVEN. I do not suppose you have any February results? Yes, it does appear that the actions you took made a significant difference from December to January—

Secretary JOHNSON. I—

Senator HOEVEN [continuing]. And so a continuation—

Secretary JOHNSON. I do not know cause and effect—

Senator HOEVEN [continuing]. Of that activity would be important. I am just wondering if you have any data that indicates in February—

Secretary JOHNSON. February—

Senator HOEVEN [continuing]. More or less continuing—

Secretary JOHNSON [continuing]. Has increased slightly from about—from January. The last projection I saw for the month of February has us at about 24,000 apprehensions for the month, which is considerably lower than December, and it is about what January looked like. So I do not know whether the enforcement actions are cause and effect, but the numbers are in fact lower for apprehensions by the Border Patrol. So—

Senator HOEVEN. Are you continuing to develop your metrics and then also to release those, including some of the metrics on ICE? I know we provided additional funding in the 2016 appropriation to ICE for some of this operational data reporting. So can you kind of just give us an update there in terms of reporting on data from—

Secretary JOHNSON. Yes.

Senator HOEVEN [continuing]. ICE and other border security entities.

Secretary JOHNSON. Senator, as you and I have discussed, I think I need—I believe we need to have better, clearer metrics for measuring border security. When I came to this department in 2013, the Border Patrol had a method for measuring total attempts to cross the border illegally, but I do not think it is very sophisticated. And so we have had an outside federally funded research firm that we are working with to develop more sophisticated ways for measuring total attempts to cross the border and more sophisticated ways for measuring how we are doing in terms of border se-

curity sector by sector. This is a project that I want to complete before I leave office 11 months from now.

Senator HOEVEN. I guess I am over my time. I better turn to Senator Shaheen.

DISASTER MITIGATION GRANTS

Senator SHAHEEN. Thank you.

I only have one really additional area of questioning, and that has to do with the disaster mitigation efforts. As I am sure you are aware, last year, the administration requested significant additional funding for mitigation grants. And so I was surprised this year to see the dramatic reduction in the request for those programs. This is an area that I think really does pay big dividends with the increased natural disasters that we are seeing. This is one way to reduce those costs. We should encourage State and local efforts in the mitigation area if they think, at the Federal level, we are going to be real partners in doing this.

I was surprised to see that those programs are reduced pretty significantly in this budget. I wonder if you could talk to what the rationale is for that. I understand the hard choices piece, but this is one that seems to me it pays big dividends at the other end in terms of cost savings.

And how do we develop a culture that is more focused on avoiding disasters and trying to mitigate for disasters as opposed to just waiting for things to happen and then responding?

Secretary JOHNSON. Well, my CFO can correct me, but I believe that what we have asked for is essentially the same as what we received last year? Is that correct? Excuse me. Sorry. Okay. All right. Okay. You are correct. This year, we prioritized flood mapping over the pre-disaster assistance because it was something we thought we needed to do within the confines of what we have had to work with. That was how we saw the priorities that were necessary for this year, in this constrained year, flood mapping, which is something that Members of Congress have talked to me a lot about.

Senator SHAHEEN. And certainly I agree that that is an area that we need to support. Are there other agencies within the Federal Government where you see the ability to partner in ways that encourage a continuation of mitigation efforts and trying to support prevention as opposed to waiting for disasters?

Secretary JOHNSON. Yes. I do not want to speculate but I think the short answer to your question is yes. I can imagine other agencies that should be supporting and contributing to this effort.

Senator SHAHEEN. And so are there efforts underway to explore those kinds of partnerships? I mean, DOT is one that comes to mind obviously but other areas that work on infrastructure projects—

Secretary JOHNSON. Well—

Senator SHAHEEN [continuing]. Or places where it seems to me that we should be thinking about how we all work together to get the best bang for the buck?

Secretary JOHNSON. Well, if they are not, they probably should be so that is my best answer.

Senator SHAHEEN. Okay. Thank you.

Thank you, Mr. Chairman.

Senator HOEVEN. Just a couple to finish up, Mr. Secretary, again, you have been very patient with your time. We appreciate it. Senator Cochran, did you have any—

Senator COCHRAN. No.

BIOMETRIC EXIT SYSTEM

Senator HOEVEN. All right, sir. Biometric exit system, why is it taking as long to develop and implement, and could we do it with biographic first, then biometrics if biometric is the problem? An exit tracking system is obviously very important to get a handle on visa overstays. We have been pretty good improving biographic exit, too, but need biometric too. So you could comment on both.

Secretary JOHNSON. Senator, the visa overstay report that we just issued is based on biographic exit, so somebody is not counted as a visa exit unless we charted it by biographic exit. That was how the report was based.

Senator HOEVEN. Right. And that is primarily—

Secretary JOHNSON. I do—

Senator HOEVEN [continuing]. For travelers, right? But that does not cover students, guest workers, and others is my understanding.

Secretary JOHNSON. Nonimmigrant B1/B2 visas. At this point it would be very difficult to track visa—at this point it will be very difficult to track student visa overstays because the amount of the permitted stay is often difficult to know as opposed to a hard-and-fast date.

With regard to biometric exit, I have asked my staff the same question. Why is it taking so long? This year, we received money, 10-year money from Congress in fee increases to pay for biometric exit. So I have said to my folks, okay, we have the money; now, let us have the timetable. And so what I have told my folks is that we want to begin implementing biometric exit as soon as 2018 at airports.

Senator HOEVEN. Do you have a realistic or what you think is a realistic timeline to roll this out at this point, or are you still developing that? I mean, should we be thinking by 2018 it would be ubiquitous in terms of airport—

Secretary JOHNSON. I told my folks that we—

Senator HOEVEN [continuing]. International airports?

Secretary JOHNSON [continuing]. Need to—we have pilot programs right now—

Senator HOEVEN. Yes.

Secretary JOHNSON [continuing]. For biometric exit.

Senator HOEVEN. Right. I have seen—

Secretary JOHNSON. I have told my folks I want to see this begin in the implementation at airports by 2018. So if I believe that my folks take me seriously when I tell them to do things, and I do—sometimes, I have to ask two or three times—I believe that this deadline will be met.

CYBERSECURITY TECHNOLOGY

Senator HOEVEN. Last question I have relates to cyber.

Secretary JOHNSON. They have met all my deadlines when it comes to cybersecurity so—

Senator HOEVEN. Well, and that is where I want to finish up is on the cyber piece, and there—we have talked about a number of different things, but where I really want to go is with the technology. With EINSTEIN, with some of these technology systems you have, do you think you have what you need? Are you able to develop what you need? I mean, this is such a dynamic, fast-moving area. You know, the technology advances every single day.

Secretary JOHNSON. Yes.

Senator HOEVEN. And you are facing a new threat every single day. So do you feel that you have enough—though obviously, there is a major commitment in funding in this budget. But talk for a minute about the technology, including this issue of law enforcement getting into phones and so forth or getting help, the help you need from the private sector, whether it is getting into an encrypted phone or something else.

Secretary JOHNSON. Well, let me focus first on the EINSTEIN system because we are making a huge investment in EINSTEIN, EINSTEIN 1, 2, and 3. And there are always skeptics that say—whether it is a cybersecurity system or a fighter jet, there are always people that say that I can build it bigger and better, and you do not have the latest and best.

The conversations that I have had with our cybersecurity experts tell me that EINSTEIN remains a good investment because of its unique capability to rely upon classified information for detecting and blocking cyber intrusions, and, more importantly, because it is a platform for future technology, the EINSTEIN 3A system, which we will have in place for the entire Federal .gov civilian world by the end of this year, and which can block known bad actors and known bad signatures. It is also a platform for technology to block suspected bad actors in the future. And so once that system is in place, it will serve as a platform for the future technology I think we need to have to block the suspected bad actor.

I believe that we should and we can stay the course with our current investments, but we need to build on that and, when the time is right, add to it, replace it, improve it, but have the ability to do so. And I think we can with the EINSTEIN system, which is sort of the centerpiece of our Federal cybersecurity efforts.

The cybersecurity bill that passed last year I think is a terrific bill. I am very pleased with the bipartisan support we got from Congress on a very complex issue, which gives us additional authorities and gives the private sector the immunities that they say they need to share with us cyber threat indicators. That was a really, really big thing that for a long time we heard from the private sector: they had to have immunities before they would be sharing cyber threat indicators with us. We now have that in place.

So I think we are moving in the right direction. I think that by the time this administration leaves office and I leave office, we will have made tangible improvements in cybersecurity.

Senator HOEVEN. Well, and that leads right to this whole issue of getting assistance from the private sector, Apple, the encrypted phones, and so forth. Give us your take on how that should be approached and—

Secretary JOHNSON. I think we need—

Senator HOEVEN [continuing]. What can and cannot be done.

Secretary JOHNSON. I think we need to be in a different place from where we are now in response to the demands of the marketplace. A lot of tech companies have driven deeper and deeper toward encryption. That has in fact hampered Federal, State, and local law enforcement in their ability to track and detect potential terrorist plots and crime, and we are not just talking about Federal crime, any State crime that involves a communication. I hear this from the district attorney of New York County, for example, Cyrus Vance. He is very big on the encryption issue.

So I think we need to move the pendulum in a different direction. It has gone pretty far in one direction. I think we need to move it back a little bit to account for law enforcement and national security needs.

Exactly how we accomplish that with the tech sector is a harder, longer conversation to have. This latest issue in California, I fully support the Government's position. I have read the briefs, I understand the need, and I am fully supportive of the Government's position there.

I know from talking to the FBI Director that, in a number of instances, Federal law enforcement gets good cooperation from a lot of companies in that sector on a case-by-case basis. This is one where we just did not agree. But I think there needs to be a larger national conversation to address this issue because I do not like where we are right now.

Senator HOEVEN. Is there anything else that you want to bring up that we have not asked you in the course of this hearing regarding your budget?

Secretary JOHNSON. I am sure that this Committee appreciates the fundamentally different place we are in right now in terms of the global terrorist threat. It is more complicated. It involves smaller scale attacks by terrorist-inspired actors here in the homeland. People ask me what keeps you up at night? One of the things that keeps me up at night is that we could have another attack in a community like Chattanooga, Tennessee, or San Bernardino at a moment's notice by somebody who was not previously on our radar. And I think this is why our CVE efforts are so important.

We are in a fundamentally different place now, and just on my watch in national security since 2009 I have seen that evolution from taking the fight to AQAP and al-Shabaab and core AQ overseas, to now dealing with a very different type of threat that includes people who live among us. And that requires a whole-of-government effort and that requires—where it counts we build the right bridges, and that requires supporting local law enforcement in their efforts, too. So—

ADDITIONAL COMMITTEE QUESTIONS

Senator HOEVEN. Again, thank you, Mr. Secretary, for being here and to you and all your people for all the hard work they do in this very important area.

This will conclude our hearing today. The hearing record will remain open for 2 weeks from today. Senators may submit written questions for the record, and we ask that the Department respond to them within a reasonable length of time.

[The following questions were not asked at the hearing, but were submitted to the Department subsequent to the hearing:]

QUESTIONS SUBMITTED TO HON. JEH C. JOHNSON

QUESTIONS SUBMITTED BY SENATOR THAD COCHRAN

Question. I noticed that this year's budget request reflects the need for more realistic virtual ranges to perform larger, more high-fidelity exercises in the cyber domain. The Committee recognized the value of developing and utilizing these cyber ranges in the recently enacted appropriations bill, which provided funding for this effort. However, I believe that the Department can more effectively allocate its resources by using existing laboratories and universities to assist in this mission.

Along these lines, do you have plans to follow the Center of Excellence model and establish a Center on cybersecurity research and education?

Answer. The Department of Homeland Security (DHS) recognizes the importance of cybersecurity research to the Nation. Because of its ubiquitous nature, the need for cybersecurity research is larger than the resources for a single Science and Technology Directorate (S&T) Center of Excellence would be able to address. As the Center of Excellence model currently exists, one Center of Excellence would be inadequate to address all but the most targeted cybersecurity problems related directly to DHS missions. Moreover, Center of Excellence funding would be dwarfed by other existing and more substantial investments in the cyber domain by S&T's Cyber Security Division, the DHS National Protection and Programs Directorate (NPPD), other Federal agencies outside DHS, and the private sector.

S&T's current approach is, when applicable, to have its current Centers of Excellence address cybersecurity issues across their respective specialties, which, by design, are linked to major DHS mission areas. For example, S&T's Food Protection and Defense Institute conducts food industry cybersecurity research, the Maritime Security Center investigates maritime cybersecurity, and the Critical Infrastructure Resilience Institute researches ways to make the business case for cyber-physical system investments. S&T's Centers of Excellence also have research planned into ways to detect and counter effectively transnational cyber-criminal activities that affect DHS missions. S&T, through its Office of University Programs, has coordinated these initiatives relating to the intersection of cybersecurity and physical infrastructure to identify lessons learned, best practices, and opportunities for knowledge transfer among sectors.

Moving forward, S&T will continue to coordinate work at relevant Centers of Excellence between its Office of University Programs and Cyber Security Division, as well as with NPPD and other non-S&T cybersecurity stakeholders. In doing so, this network of universities will continue helping the Department to meet its cybersecurity research and education needs.

Question. There is concern regarding the workforce that will populate the National Bio and Agro-Defense Facility, when it opens in 2022. I am told that the required training time for a qualified veterinarian is 7 years. What are you doing to ensure a qualified veterinary workforce is in place when this facility opens?

Answer. DHS is coordinating with its partners in the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service and Agriculture Research Service to develop an integrated operational standup program that reflects the staffing, equipping, and laboratory operating requirements for the National Bio- and Agro-Defense Facility to reach full operational capability by December 2022.

One of the central components of the integrated DHS-USDA plan addresses staff training requirements. This portion of the standup planning effort was the basis for preliminary discussions to identify specialized educational requirements to support National Bio- and Agro-Defense Facility veterinary staffing planning. Our integrated planning also includes the transition of research programs and veterinary research staff from the Plum Island Animal Disease Center to Manhattan, Kansas, at the appropriate time during standup. On the basis of the team's planning, we are confident that when the DHS-USDA team begins recruiting to fill remaining professional veterinary staff positions, the country will have an adequate pool of highly qualified candidates interested in joining the National Bio- and Agro-Defense Facility's research team.

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

Question. How many total icebreakers does the Coast Guard need?

Answer. The long-term plan for polar icebreaking capability in the Coast Guard is still being assessed based on mission needs and future demand. Current efforts have focused on acquiring a minimum of two heavy icebreakers. The Coast Guard will work with the Department, the President, and Congress to meet the Nation's polar icebreaking needs.

Question. Is the Department planning outyear budgets to fund these additional ships?

Answer. The Coast Guard's fiscal year 2017–2021 Capital Investment Plan reflects the Department of Homeland Security (DHS) and Coast Guard plan to fund the first polar icebreaker. Funding needed for additional icebreakers falls outside of the 5-year planning window of the Capital Investment Plan and will be programmed, as appropriate, in future budget cycles.

Question. Does the Department plan to release a Capital Investment Plan (CIP), showing the funding streams needed in future years to meet these goals? When?

Answer. The Coast Guard Capital Investment Plan table was delivered to Congress on March 16, 2016, with the full report delivered April 13, 2016. The Capital Investment Plan reflects funding for the acquisition of a new polar icebreaker. The funding profile assumes appropriation of the full \$150 million in fiscal year 2017, with plans to acquire long lead time material in fiscal year 2019/2020, followed by the first phase of production in fiscal year 2021.

Question. Does the Department, at a minimum, plan 1-for-1 replacement of seven fast response cutters for seven 110-ft patrol boats currently homeported in Alaska? If not, how many does the Department plan to station in Alaska and where?

Answer. No, the fleet recapitalization plan does not constitute a 1-for-1 replacement of the 110-ft. patrol boats in Alaska with 154-ft. fast response cutters. Rather, six fast response cutters will replace the seven 110-ft. patrol boats currently in Alaska.

Not only does the fast response cutter provide greater operating capability than the 110-ft. patrol boat, it operates at 2,500 hours per year. This results in a net increase in total patrol boat operating hours of 2,400 hours per year in comparison to the seven 110-ft. patrol boats, which operated at 1,800 hours per year.

Three fast response cutters are planned to be homeported in the Sector Anchorage area of responsibility; the remaining three are planned for the Sector Juneau area of responsibility.

Question. The State of Alaska legislature enacted a statute prohibiting cooperation with the Federal Government in implementation of REAL ID. However, the State has also made changes to its driver's licenses and its issuance processes to improve their security. Alaska's application for a reprieve on REAL ID was granted through October 2016. Will the Alaska driver's license no longer being accepted as a valid form of personal identification to board a flight upon expiration of the extension?

Answer. The REAL ID Act authorizes DHS to provide States with additional time to become compliant "if the state provides adequate justification for noncompliance." DHS is continuing to provide extensions, as warranted. Extensions are granted for a maximum of 1 year and may be renewed, provided there is adequate justification for continued noncompliance. As part of this process, DHS considers the extent to which the State has demonstrated progress in meeting any outstanding requirements to become compliant.

DHS is providing more than 2 years advance notice of enforcement of REAL ID with respect to domestic air travel to allow ample time for all States to achieve compliance, or for potential air travelers to acquire an alternate form of identification if their State does not comply with REAL ID.

Starting January 22, 2018, travelers who do not have a license from a compliant State or a State that has been granted an extension will be asked to provide alternate acceptable identification. However, passengers with driver's licenses issued by a State that is compliant with REAL ID (or a State that has been issued an extension) still will be able to use their driver's licenses or identification cards.

Starting October 1, 2020, travelers will need to present a REAL ID-compliant license or another acceptable form of identification for domestic air travel.

Question. What is an acceptable alternative to the REAL ID?

Answer. Starting January 22, 2018, passengers who have driver's licenses issued by a State that is not yet compliant with REAL ID and that has not received an extension will need to show an alternative form of acceptable identification for domestic air travel. The Transportation Security Administration (TSA) accepts, and will continue to accept, other forms of identification documents, including:

- U.S. passport;
- U.S. passport card;
- DHS trusted traveler cards (Global Entry, NEXUS, SENTRI, FAST);

- U.S. military identification (Active Duty or retired military and their dependents, and Department of Defense civilians);
- Permanent resident card;
- Border crossing card;
- DHS-designated enhanced driver's license;
- Airline- or airport-issued identification (if issued under a TSA-approved security plan);
- Federally recognized, tribal-issued photo identification;
- HSPD-12 PIV card;
- Foreign government-issued passport;
- Canadian provincial driver's license or Indian and Northern Affairs Canada card;
- Transportation worker identification credential;
- Immigration and Naturalization Service Employment Authorization Card (I-766).

QUESTIONS SUBMITTED BY SENATOR JEANNE SHAHEEN

Question. Given the threat to the Nation's cybersecurity, the private sector and State and local governments must take aggressive measures to secure systems along with the Federal Government. What is included in the fiscal year 2017 request to ensure appropriate Federal support is provided to private sector partners, including infrastructure operators, and State and local governments?

Answer. The fiscal year 2017 President's budget invests more than \$19 billion in overall Federal resources for cybersecurity, a roughly 35-percent increase from fiscal year 2016, to support a broad-based cybersecurity strategy for securing the U.S. Government, enhancing the security of critical infrastructure and important technologies, investing in next-generation tools and workforce, and empowering Americans. This funding will support the Cybersecurity National Action Plan, which aims to increase the level of cybersecurity in both the Federal Government and the country's digital ecosystem as a whole. The budget also sustains funding for U.S. Immigration and Customs Enforcement and the U.S. Secret Service to combat cybercrime and to investigate cyber criminals.

Recognizing that critical infrastructure in the United States is owned by both public and private entities, the Department of Homeland Security's National Protection and Programs Directorate (NPPD) collaborates with Federal, State, local, tribal, territorial, international, and private-sector entities. In particular, NPPD helps the private sector and State, local, tribal, and territorial governments to protect themselves by promulgating best practices, serving as a hub for cybersecurity information sharing, and providing incident response assistance. The fiscal year 2017 budget advances these critical capabilities by enhancing the Department's ability to share cyber threat indicators in real time per the Cybersecurity Act of 2015, increasing the number of cybersecurity security advisors to provide companies and State, local, tribal, and territorial governments with risk assessments and guidance, and by providing resources to secure the control systems that operate much of the Nation's privately owned critical infrastructure.

Additional details regarding the President's Cybersecurity National Action Plan can be found at: <https://www.whitehouse.gov/the-press-office/2016/02/09/fact-sheet-cybersecurity-national-action-plan>. The fiscal year 2017 budget justification materials for the Department of Homeland Security can be found at: <https://www.dhs.gov/dhs-budget>.

Question. How much is requested in the fiscal year 2017 budget through FEMA for Urban Search and Rescue Response System?

Answer. The fiscal year 2017 President's budget requested \$27,513,000 for the Urban Search and Rescue Response System.

Question. Congress provided the Secret Service with \$84.5 million in fiscal year 2016 to implement the Protective Mission Panel findings to address known requirements (such as a replacement of the existing fence) and emerging potential threats (such as those posed by drones). Mr. Secretary, are we making timely strides in addressing known and emerging threats to the White House complex—not just the perimeter fence, but also items like drones?

Answer. The U.S. Secret Service is making steady progress in addressing both known security requirements as well as emerging threats at the White House Complex. A portion of the \$84.5 million provided in fiscal year 2016 for Protective Mission Enhancements is being allocated to projects that, once completed, will improve physical security at the White House Complex and will improve operational communications consistent with the recommendations of the Protective Mission Panel.

These measures include: (1) the permanent replacement of the White House perimeter fence; (2) the 2-year effort to upgrade the radios and associated infrastructure at the White House Complex; (3) critical upgrades to the Joint Operations Center, the Secret Service's command and control location that monitors security functions at the White House Complex; and (4) the refurbishment and/or replacement of uniformed division officer booths and vehicle gates, as well as enhancements to classified programs at the White House Complex.

The Secret Service also is actively developing technical countermeasures to address emerging threats at the White House Complex. In particular, the agency is engaged in efforts to detect and neutralize unauthorized or illicit unmanned aircraft systems, a term that encompasses drones. These efforts will provide the agency with unmanned aircraft systems detection and mitigation capabilities within the District of Columbia and at protective sites outside of the National Capital Region. In fiscal year 2014, \$2.6 million was allocated to unmanned aircraft systems countermeasure development, and an additional \$10.7 million was allocated in fiscal year 2015. In fiscal year 2016, the Secret Service utilized \$870,000 in Protective Mission Enhancement funding and \$6.8 million in Operational Mission Support funding for unmanned aircraft systems countermeasures. With respect to other emerging threats, the Secret Service's fiscal year 2017 budget request includes \$108.18 million to support the Operational Mission Support program. The fiscal year 2017 request includes \$7.4 million to continue investments in counter-unmanned aircraft systems investments (\$1.6 million in Protective Mission Enhancements and \$5.8 million in Operational Mission Support).

Question. When I met with the Secret Service Director earlier this month, he briefed me that the White House fence replacement will be delayed due to new information and requirements to address unanticipated threats. While I understand that the fence construction will take longer than anticipated and that this subcommittee made \$8.2 million for the fence available for 2 years, are you comfortable with requesting only \$50,000 for the fence in the budget before us today especially as people continue to jump the current fence?

Answer. The \$50,000 in the fiscal year 2017 request is intended to address projected maintenance and repair costs for the interim fence enhancements installed last year. These repairs could include fixing cracks to welds and spike or spike fastener replacement. The requested amount should be sufficient to address those anticipated upkeep expenses.

In addition, the Secret Service continues to make progress on the permanent fence enhancements. In May 2015, the Secret Service participated in a study with the National Park Service that provided several options for the development and structural redesign of the current White House fence. After the study was completed, the Secret Service identified its preferred fence option, and in September 2015, awarded a contract through the National Park Service to an architecture/engineering firm to begin the design process. The Secret Service and National Park Service expect to bring the initial design concepts to the Commission on Fine Arts and the National Capital Planning Commission in April through June of this year.

The Secret Service is committed to implementing a permanent upgrade to the White House fence on a priority basis. Pending approval of all the stakeholders involved, the Secret Service expects to use the 2-year funding appropriated in fiscal year 2016 to complete the fence design and to begin the acquisition and procurement process in late fiscal year 2017. This will allow for award of a phased construction contract to begin building usable segments of the permanent fence in fiscal year 2018. Additional funding will be required in fiscal year 2018 and beyond to complete the phased construction of the fence around the White House Complex, the Eisenhower Executive Office Building, and the Treasury Building.

QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

PRECLEARANCE

Question. One of the major obstacles to cross-border travel today is CBP passenger screening. Over the past couple years, DHS has made great progress in the construction of preclearance facilities. I am pleased that the United States and Canada have signed an agreement to expand preclearance operations. This new agreement has been needed before discussions regarding the creation of a preclearance facility at Montréal's Central Station, and the reestablishment of train service between Vermont and Montréal. The agreement is also a positive step toward improving the travel experience in air service between Burlington International Airport and Toronto City Airport. And, last week, I joined with Senator Murkowski to intro-

duce S. 2612—the Promoting Travel, Commerce and National Security Act of 2016—which will enable the full implementation of this agreement.

Secretary Johnson, I understand fully implementing the United States-Canada agreement is a priority of yours. Can I count on your commitment in expeditiously naming preclearance expansion facilities in Canada once the agreement is ratified by the Canadian Parliament and the U.S. Congress passes related implementing legislation?

Answer. Canada and the United States signed the Agreement on Land, Rail, Marine, and Air Transport Preclearance on March 16, 2015. During Prime Minister Trudeau's visit on March 10, 2016, our two countries announced our intention to support the legislation necessary to bring that agreement into force. Along with Congress' introduction of the Promoting Travel, Commerce, and National Security Act of 2016 (S. 2612/H.R. 4657), the Government of Canada intends to introduce the necessary legislation this spring.

In addition, the United States and Canada have agreed, in principle, to expand preclearance to the following sites: Billy Bishop Toronto City Airport, Québec City Jean Lesage International Airport, Montréal Central Station, and Rocky Mountaineer. Expansion can begin only after the new agreement enters into force and must be contingent upon each site meeting all terms and conditions of that agreement, including recovery of costs for the deployment of U.S. Customs and Border Protection (CBP) officers at new preclearance locations in Canada.

The Department of Homeland Security (DHS) is fully prepared to support the expansion of preclearance facilities in Canada once the Canadian Parliament ratifies the agreement and the U.S. Congress passes legislation granting appropriate civil extraterritorial jurisdiction to U.S. courts. The agreement's intention is to further facilitate the flow of travel between the United States and Canada, and to that end, support the expansion of programs that ease passenger screening for those traveling from Canada. Once the requirements of the agreement are met, it will provide strong protections for both countries' interests and serve to strengthen our strong binational relationship.

Question. There are many committed partners on both sides of the northern border spending time and resources in getting new sites ready for preclearance expansion. Unfortunately, CBP will only respond to requests for technical advice, stalling progress. Is DHS willing to work with new site applicants and CBP in moving forward with design approvals as Congress works to pass implementing legislation?

Answer. On March 10, 2016, Secretary Johnson and Public Safety Minister Goodale signed a statement of intent that formalizes the agreement in principle to expand preclearance to the following four locations: Billy Bishop Toronto City Airport, Québec City Jean Lesage International Airport, Montréal Rail, and Rocky Mountaineer. Expansion is contingent upon each site meeting all terms and conditions of the 2015 Land/Rail/Marine/Air Preclearance Agreement, including recovery of eligible costs for the deployment of CBP officers at new preclearance locations in Canada and the development of necessary infrastructure requirements and operational protocols for each location. As part of the Statement of Intent, DHS agreed to co-chair the Preclearance Consultative Group with the Department of State, Public Safety Canada, and Transport Canada. The United States and Canada plan to convene the Preclearance Consultative Group on May 10, 2016, in Québec City, Canada, to discuss implementation issues at the expansion locations and the potential for expansion to other sites in both countries over the medium and long terms. This group will cover a range of implementation challenges, including continuous law enforcement presence, exploratory discussions on the requirements for cargo preclearance, technical design standards, service levels, vetting, and other related items.

NORTHERN BORDER STAFFING

Question. I understand that CBP has been working hard to fill the 2,000 positions for which Congress allocated funding over 2 years ago. However, I am frustrated that maintaining full staffing along the northern border remains a struggle. What are the Department's barriers to filling these positions?

Answer. As the Nation's largest Federal law enforcement organization, CBP faces a number of challenges in recruiting and retaining well-qualified employees. This is not a phenomenon unique to CBP as other Federal, State, and local law enforcement organizations must address similar challenges. Factors that make recruitment and retention a challenge for CBP include:

—*Staffing Requirements.*—Achieving and maintaining the staffing floors set by Congress for CBP's law enforcement occupations requires annually attracting

and evaluating tens of thousands of applicants to replace losses resulting from retirement and other attrition.

- Pay/Compensation Flexibilities.*—CBP competes with other law enforcement and Federal agencies, as well as with the private sector, for the same pool of applicants. Often, these organizations have greater compensation flexibilities to attract and retain employees.
- Security Requirements.*—CBP's rigorous hiring standards limit the pool of suitable candidates. All of CBP's positions require a background investigation. Applicants for law enforcement occupations also must complete a statutorily mandated polygraph examination.
- High Frontline Hiring Process Discontinuation Rate.*—Applicants for CBP law enforcement positions must complete a series of assessments. A high percentage of applicants do not successfully complete the hiring process, including many who voluntarily withdraw from the process.
- Limited Supply of Candidates.*—Strict suitability standards, position requirements, and public scrutiny of law enforcement officers are factors that contribute to a smaller pool of qualified and suitable candidates for CBP's law enforcement occupations.
- Staffing Hard-To-Fill and/or Remote Locations.*—Due to the nature of CBP's work along the border, many of the duty locations are located in geographically remote areas. Staffing these and other hard-to-fill locations is critical to meeting operational requirements.

Many of the ports along the northern border are hard to fill because they are in remote areas with few amenities and resources, such as housing, schools, medical facilities, entertainment options, spousal employment. CBP continues to streamline the hiring process to attract well-qualified candidates to fulfill mission-critical roles, and is pursuing a comprehensive, multi-pronged approach to address particular staffing challenges. Among other things, since August 2015, CBP has included in its officer entry-level vacancy announcement a recruitment incentive offer in certain northern border locations to attract applicants for CBP officer positions in locations that are experiencing difficulties attracting applicants and achieving their authorized staffing levels.

Question. What resources does the Department need to fully meet these northern border staffing needs?

Answer. As of February 20, 2016, 95 percent of the authorized CBP officer positions on the northern border were filled. However, there are key ports, especially in North Dakota and Maine, that could benefit from greater flexibility in CBP's ability to use recruitment and retention incentives for current employees.

Although recruitment incentives can be used to recruit new employees into the Federal Government and retention incentives can be used to encourage current Federal employees to remain in the Federal Government, the current framework does not permit CBP to offer current employees incentives to stay in hard-to-fill locations. The added ability to offer a retention incentive so that an employee does not leave the northern border position would allow CBP to better recruit and retain current employees on the northern border.

Question. The Vermont port of entries received 10 additional positions, 5 in Highgate and 5 in Derby. Unfortunately, due to attrition and the slow pace of new hires, Vermont has lost a total of 25 CBP officers from 2009 to 2015, and Vermont is also suffering a shortage from its baseline numbers from the new hire sites in Highgate and Derby. I believe that hiring locally will help in Vermont. What efforts are in place by DHS in order to hire local residents when positions are available?

Answer. CBP seeks qualified applicants from locations that are considered rural or geographically remote as well as those willing to live and work in such environments. CBP posts officer job opportunity announcements on USAJOBS, the U.S. Government's official Web site for listing civil service job opportunities with Federal agencies. The site is operated by the Office of Personnel Management. Consistent with qualification and application requirements, and other considerations identified in each job opportunity announcement, all individuals interested in the CBP officer position advertised may apply.

CBP opens and closes announcements on a monthly basis to ensure a continuous flow of new applicants. These announcements include locations with current and anticipated future vacancies. At this time, CBP does not accelerate applicants based on home of record; however, CBP has reengineered its recruitment and hiring operations to ensure that candidates are placed into pre-employment processes in an expedited manner. CBP's national recruitment strategy requires CBP's component field offices to perform outreach and recruitment activities within their designated areas of responsibility. In this manner, CBP is working to recruit from all sources and to build local partnerships (e.g., chambers of commerce, employment offices)

that will help to feed the hiring pipeline. This is a layered strategy that integrates national and local-level recruitment activities to provide information concerning CBP career opportunities and current hiring initiatives to prospective applicants and others, including those in local communities where CBP maintains offices.

The ports within Vermont do experience higher-than-average rates of attrition and other losses. To combat the losses, the Port of Derby Line was placed on the June 2015 CBP officer entry-level vacancy announcement and received more than 550 applicants. As of March 19, 2016, the Port of Derby Line achieved its authorized staffing level for CBP officers and as of April 4, 2016, the port stands at 103 percent of its authorized staffing level. Additionally, one more officer is scheduled to enter on duty on May 16, 2016. Furthermore, there are another 26 applicants in the pre-employment hiring pipeline.

Highgate Springs has presented additional challenges with increasing attrition and other losses over the last number of months. Therefore, the Port of Highgate Springs was placed on the CBP officer entry-level vacancy announcement in April 2016. As of April 22, 2016, 190 applicants have applied to Highgate Springs. Additionally, the Port of Highgate Springs will remain on the CBP officer entry-level vacancy announcement through May, and likely through June.

Question. What measures has the Department implemented to help incentivize staff to fill positions and combat attrition in the hard to staff areas on the northern border?

Answer. CBP is pursuing a comprehensive, multi-pronged approach to address particular staffing challenges. These efforts include the use of incentives (e.g., recruitment, relocation, and retention) to attract and retain well-qualified employees. Starting with the August 24, 2015, CBP officer entry-level vacancy announcement, CBP began to include a recruitment incentive offer to attract applicants for CBP officer positions in locations experiencing difficulties attracting applicants and achieving their authorized staffing levels. This includes locations along the northern border. Within fiscal and regulatory constraints, CBP is working to strategically increase the use of recruitment incentives. In addition to incentives, CBP maintains a national reassignment process for eligible employees. Lateral reassignment opportunities, which are used to solicit applications from current CBP officers, are posted to an internal Web site accessible to all CBP employees.

QUESTIONS SUBMITTED BY SENATOR PATTY MURRAY

DISASTER DEDUCTIBLE PROPOSED RULEMAKING

Question. On January 20, 2016, the Federal Emergency Management Agency (FEMA) published an advance notice of proposed rulemaking exploring the concept of a “disaster deductible.” As you are aware, such a deductible would require for State, tribal, and territorial governments to meet a predetermined level of commitment—financial or otherwise—before receiving assistance under the Public Assistance Program. Understanding that the deductible concept is designed to foster greater investment in disaster planning, preparedness, and mitigation at the recipient level, I have heard from a number of local and other subrecipient entities concerned about the proposal—specifically that a deductible could unduly complicate their access to public assistance funds.

In evaluating a recipient-level disaster deductible, what considerations have DHS and FEMA made with respect to subrecipient access to public assistance funds? Especially in cases where a subrecipient entity has made considerable investment in preparedness and mitigation but its controlling recipient has failed to satisfy the deductible requirements?

Answer. Over the last several years, Members of Congress, the Government Accountability Office, and the Department’s Inspector General have called on FEMA to reform or alter how the Federal Government supports States following disasters. In particular, these calls have focused on more fully evaluating State and local capabilities to ensure that an event is, in fact, beyond their capabilities. In response, FEMA is exploring the possibility of incorporating a disaster deductible concept into the Public Assistance Program. FEMA believes that such an approach has the potential to incentivize mitigation strategies and promote risk-informed decision-making to build resilience, including for catastrophic events; reduce the costs of future events for both States and the Federal Government; and facilitate State and local government planning and budgeting for enhanced disaster response and recovery capability through greater transparency.

FEMA recognizes that this would represent a significant shift in the way that the Federal Government supports recipients and subrecipients in their recovery efforts

following major disasters. Because of this, FEMA has published an Advance Notice of Proposed Rulemaking to gather input from State, tribal, territorial, and local governments, as well as from other stakeholders and the general public. The Advance Notice of Proposed Rulemaking represents the beginning of a process that the Agency believes ultimately will strengthen our Nation's resilience to disaster events and reduce the cost of disasters in the long term.

Through the Advance Notice of Proposed Rulemaking, FEMA specifically requested information regarding the relationship between recipients and subrecipients, and in particular, the impact that this proposal would have on both entities. Under Implementation Considerations, Question B, FEMA solicits feedback on items related to recipients and subrecipients. The comment period closed on March 21, 2016. FEMA currently is evaluating the comments, which will determine the way forward in the coming months.

SUBCOMMITTEE RECESS

Senator HOEVEN. With that, this subcommittee stands in recess. [Whereupon, at 3:46 p.m., Wednesday, February 24, the subcommittee was recessed, to reconvene at a time subject to the call of the Chair.]